

The City Record

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Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, June 3, 2024.

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[Ord. No. 161-2024](#)

[Ord. No. 527-2024](#)

[Ord. No. 166-2024](#)

[Ord. No. 529-2024](#)

[Ord. No. 241-2024](#)

[Ord. No. 542-2024](#)

[Ord. No. 347-2024](#)

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[Ord. No. 443-2024](#)

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[Ord. No. 479-2024](#)

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[Ord. No. 592-2024](#)

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[Ord. No. 482-2024](#)

[Ord. No. 595-2024](#)

[Ord. No. 522-2024](#)

[Ord. No. 615-2024](#)

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[Ord. No. 616-2024](#)

[Ord. No. 524-2024](#)

[Ord. No. 617-2024](#)

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[Ord. No. 618-2024](#)

Ord. No. 631-2024

Ord. No. 654-2024

Ord. No. 635-2024

Ord. No. 655-2024

Ord. No. 636-2024

Ord. No. 656-2024

Ord. No. 647-2024

Ord. No. 668-2024

Ord. No. 648-2024

Res. No. 530-2024

Ord. No. 649-2024

Res. No. 590-2024

Ord. No. 650-2024

Res. No. 591-2024

Ord. No. 651-2024

Res. No. 620-2024

Ord. No. 652-2024

Res. No. 621-2024

Ord. No. 653-2024

Res. No. 622-2024

Ordinance No. 161-2024

By Council Members: Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Manufacturing Works, or its designee, to provide economic development assistance for the Cleveland Industrial Retention Initiative Program during 2024.

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 Director of Economic Development is authorized to enter into a grant agreement with Manufacturing Works, or its designee, to provide economic development assistance for direct costs associated with operating the Cleveland Industrial Retention Initiative (“CIRI”) Program during the first half of 2024.

Section 2. That the costs of the grant agreement shall not exceed \$500,000 and shall be paid from Fund No. 10 SF 501. (RQS 9501, RL 2024-11)

Section 3. That the Director of Law is authorized to prepare the grant agreement and other documents as may be appropriate to complete the transaction.

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 166-2024

By Council Members: Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for PY2024 under the Title I of the Housing and Community Development Act of 1974, for the 2024 Federal HOME Investment Partnerships Act Program, Emergency Solutions Grant Program, and the Housing Opportunities for Persons with AIDS Program; and authorizing contracts and other expenditures.

WHEREAS, the City of Cleveland desires to apply for and accept various grants from the U.S. Department of Housing and Urban Development; and

WHEREAS, the U.S. Department of Housing and Urban Development requires the City of Cleveland to maintain written policies and procedures for the effective administration and transparency of these federal Entitlement allocations overseen by the Department of Community Development; and

WHEREAS, the Department of Community Development Manual fulfills this requirement; and

WHEREAS, the U.S. Department of Housing and Urban Development requires that the City of Cleveland is presented with the updated Department of Community Development Manual on an annual basis; and

WHEREAS, this Council supports adoption of the current Department of Community Development Manual, as amended by the Director of Community Development for the purpose of maintaining a compliant federal Entitlement program for the benefit of Cleveland; and

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 Director of Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following estimated amounts: \$19,883,456 to conduct the PY2024 Community Development Block Grant (CDBG) Program; \$4,200,829 to conduct the Federal HOME Investment Partnerships Act (HOME) Program; \$1,826,276 to conduct the Emergency Solutions Grant (ESG) Program; and \$2,374,534 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes and uses set forth in the budgets and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the

Director of Community Development is authorized to act as the City's Authorized Representative to file all papers and execute all documents necessary to receive the funds under the grants, administer funds under the grants, and to effect compliance with any and all requirements, and that the funds are appropriated for the purposes set forth in this ordinance.

Section 2. 2024 Programs.

That the Director of Community Development is authorized to conduct the Programs listed in this ordinance with the entities listed, as described in File No. 166-2024-A.

Section 3. That the Director of Community Development is authorized to expend the amounts shown in this section, plus program income and any other prior year balances and the amounts are appropriated for the following purposes:

1. 10-YEAR HOUSING PLAN

A. Strategic Initiatives

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
Middle Neighborhoods	CDBG	\$200,000	\$198,835	RQS 8006 RLA 2024 0026
Banking Relations	CDBG	\$100,000	\$99,417	RQS 8006 RLA 2024 0027
Abatement, Demolition, and Board-Up	CDBG	-	-	
Project Clean	CDBG	\$1,110,000	\$953,823	RQS 8006 RLA 2024 0010
Citywide Grants	CDBG	\$150,000	\$139,184	RQS 8006 RLA 2024 0011
CDC Activity Grants	CDBG	\$1,200,000	\$1,053,240	RQS 8006 RLA 2024 0011

B. Safe Housing Initiatives

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
Home Repair Program	CDBG	\$1,631,000	\$1,450,910	RQS 8006 RLA 2024 0020
Home Repair Program	HOME	\$500,000	\$386,476	RQS 8006 RLA 2024 0020
Competitive Lead Grants	CDBG	-	-	
Citywide Grants	CDBG	\$150,000	\$139,184	RQS 8006 RLA 2024 0011
Housing Rehab Administration	CDBG	-	\$914,639	

C. Affordable Housing Expansion and Preservation

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
Housing Trust Fund	HOME	\$3,808,346	\$2,730,539	RQS 8006 RLA 2024 0021
Housing Trust Fund	CDBG	-	-	
CHDO Set Asides	HOME	\$668,000	\$630,124	RQS 8006 RLA 2024 0021
Citywide Grants	CDBG	\$150,000	\$139,184	RQS 8006 RLA 2024 0011
Fair Housing Administration	CDBG	-	-	
Housing Devlp. Office Administration	CDBG	-	-	

D. Supporting Housing Infill Development

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
Citywide Grants	CDBG	\$150,000	\$139,184	RQS 8006 RLA 2024 0011

2. ECONOMIC OPPORTUNITY

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
A. Storefront Renovation	CDBG	\$367,000	\$257,902	RQS 8006 RLA 2024 0012

3. ENDING POVERTY AND RACIAL DISPARITIES

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
A. Support the City/County Continuum of Care	ESG	\$1,776,678	\$1,746,276	RQS 8006 RLA 2024 0017
Continuum of Care COC	CDBG	-	\$500,000	
ESG Administration	ESG	-	-	
B. Public Services Addressing Neighborhood	CDBG	-	-	

Revitalization Strategy Area				
Systemic Poverty	CDBG	\$1,000,000	\$654,406	RQS 8006 RLA 2024 0013
Youth Violence	CDBG	\$150,000	\$134,184	RQS 8006 RLA 2024 0013
Poverty and Accessibility Among Elderly	CDBG	\$200,000	\$193,835	RQS 8006 RLA 2024 0013
Other Public Services	CDBG	\$150,000	\$134,184	RQS 8006 RLA 2024 0029
Community Engagement	CDBG	\$500,000	\$369,548	RQS 8006 RLA 2024 0028
C. Housing for Persons with HIV/AIDS	HOPWA	\$2,356,937	\$2,374,534	RQS 8006 RLA 2024 0018
CDBG AIDS Prevention	CDBG	\$284,000	\$278,368	RQS 8006 RLA 2024 0014

4. NEIGHBORHOOD IMPROVEMENT

	Funding	Est. 2024 Allocation	Actual 2024 Allocation	RLA
A. Community Gardens	CDBG	\$126,000	\$119,301	RQS 8006 RLA 2024 0015
B. Improvement and Preservation of Neighborhood Public Facilities				
City Public Facilities 5 Points	CDBG	0	\$278,368	
Other Public Facilities	CDBG		0	RQS 8006 RLA 2024 0029
Neighborhood Development Grants	CDBG	\$7,600,000	\$7,600,000	N/A
General Administration	CDBG	\$5,261,780	\$4,135,760	N/A
	HOME	\$486,000	\$453,690	N/A
	ESG	\$80,000	\$80,000	N/A
Total		\$30,455,201	\$28,285,095	

INDIVIDUAL GRANT TOTALS:

	Est. 2024 Allocation	Actual 2024 Allocation
CDBG	\$20,779,240	\$19,883,456
HOME	\$5,462,346	\$4,200,829

ESG	\$1,856,678	\$1,826,276
HOPWA	\$2,356,937	\$2,374,534
Total	\$30,455,201	\$28,285,095

Section 4. Contracting.

- (a) That the Directors of the Departments of Community Development, Public Works, Public Health, Building and Housing, and Aging are authorized to enter into one or more contracts with those entities or individuals described in the file for the applicable Program for the purposes allowed under the applicable Program and following the appropriate federal regulations governing the use of CDBG, HOME, ESG, and/or HOPWA funds.
- (b) That the Director of Community Development is authorized to accept monies in repayment under the Programs listed in the file and to utilize repayments for making additional expenditures under the Programs, and the funds are appropriated for that purpose.
- (c) That the Director of Community Development is authorized to enter into rebate agreements with those entities and individuals described in the file using CDBG and KIOSK funds.

Section 5. Purchasing.

- (a) That the Directors of Community Development and/or Building and Housing, as appropriate, are authorized to make one or more written standard purchase and/or written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period during the grant terms, for each or all of the following items: labor, materials, equipment, supplies, and services needed to implement the grants and for the rental of furniture and other household articles to supply and accommodate displaced persons during any Program performed under the grants as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Departments of Community Development and Building and Housing as appropriate. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.
- (b) That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase or procurement under the contract, each of which purchases or procurements shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

- (c) That, unless expressly prohibited by the grant agreements, under Section 108(b) of the Charter, purchases or procurements made under the grant agreements may be made through cooperative arrangements with other governmental agencies. The Director of Community Development may sign all documents and do all things that are necessary to make the purchases or procurements and may enter into one or more contracts with the vendors selected through that cooperative process.
- (d) That the Directors of Community Development and/or Building and Housing as appropriate are authorized to accept monies in repayment under the Programs listed in the file and to utilize repayments for making additional expenditures under the Programs, and the funds are appropriated for that purpose.
- (e) That the Director of Building and Housing is authorized to collect from persons or entities from whom the City is collecting demolition costs an amount equal to any amount spent for services related to collection of demolition cost, such as title searches, credit bureau reports, and document filing fees. Any funds collected shall be deposited into Fund No. 14.

Section 6. Consultant and Professional Services.

That the Directors of Community Development and Public Health are authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide services needed to assist the City with the Programs listed in the file.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development and/or Public Health, as appropriate, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development and/or Public Health, as appropriate, following applicable federal regulations, for the purpose of compiling a list. The compensation to be paid for the services shall be determined by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Community Development and/or Public Health, as appropriate, and certified by the Director of Finance.

Section 7. Memorandum of Understanding and Reimbursement.

- (a) That the Director of Community Development shall enter into a memorandum of understanding prior to expenditure of funding with the following Departments:

Project Clean
AIDS Prevention

Department of Public Works
Department of Public Health

AIDS Related Services	Department of Public Health
Demolition and Board-Up	Department of Building and Housing
SHAP and CHORE	Department of Aging

- (b) That CDBG funds as shown in Section 1 are appropriated from Fund No. 14 SF 050 for costs of the Departments incurred from Fund 15.
- (c) That HOPWA funds as shown in Section 1 are appropriated from Fund No. 15 SF 374 for costs of the Department of Health incurred from Fund 15.
- (d) That ESG funds as shown in Section 1 are appropriated from Fund 15 SF 375 for costs of the Department of Aging incurred from Fund 15.

Section 8. Loans.

- (a) That the Director of Community Development is authorized to accept monies in repayment of loans and fees authorized in this ordinance and to deposit those monies in Fund Nos. 13, 14, and 15, as appropriate, and to utilize the repayments and other program income in a revolving fund for making additional expenditures under the Programs, and such funds are hereby appropriated for that purpose.
- (b) That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under the Programs described in the file.
- (c) That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund Nos. 13, 14 or 15, as appropriate. The revenues generated as a result of charging fees are appropriated for additional program and operating expenses for eligible activities.

Section 9. Neighborhood Development Activities Council Member Written Approval. That prior to entering into or amending those contracts or memorandums of understanding, or expending any Neighborhood Development Activity funds, the Director of Community Development shall receive written approval from the Council member whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Council member's ward pursuant to the relevant Community Development Block Grant plan.

Section 10. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 241-2024

By Council Members: Conwell

An emergency ordinance changing the name of Moulton/Scoutway Park in Ward 9 to “Shirley Chisholm Park”.

WHEREAS, Shirley Anita St. Hill Chisholm was the first African American woman elected to Congress in 1968 and, in 1972, was the first woman and African American to seek the nomination for president of the United States from one of the two major political parties; and

WHEREAS, born in Brooklyn, New York in 1924, Shirley Chisholm was the daughter of a factory worker from Guyana and a seamstress from Barbados; she graduated from Brooklyn College cum laude in 1946, where she won prizes on the debate team; professors encouraged her to consider a political career, however she replied that she faced a “double handicap” being both Black and female; and

WHEREAS, in 1964, Chisholm ran for and became the second African American in the New York State Legislature; in 1968 Chisholm won a seat in Congress, where “Fighting Shirley” introduced more than 50 pieces of legislation and championed racial and gender equality, the plight of the poor, and ending the Vietnam War; Chisholm was a co-founder of the National Women's Political Caucus in 1971, and in 1977 became the first Black woman and second woman ever to serve on the powerful House Rules Committee; and

WHEREAS, in her quest for the 1972 Democratic Party presidential nomination, Chisholm was blocked from participating in televised primary debates and, after taking legal action, was permitted to make just one speech; nevertheless, students, women, and minorities followed the “Chisholm Trail”: she entered 12 primaries and garnered 152 of the delegates’ votes (10% of the total)—despite an under-financed campaign and contentiousness from the predominantly male Congressional Black Caucus; and

WHEREAS, Chisholm retired from Congress in 1983; prior to her death in 2005 she said, “I want to be remembered as a woman ... who dared to be a catalyst of change”; and

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 name of Moulton/Scoutway Park is hereby changed to “Shirley Chisholm Park” and that the Director of Public Works is authorized and directed to take the necessary action to affect said designation and to post the proper signs at the playground.

Section 2. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

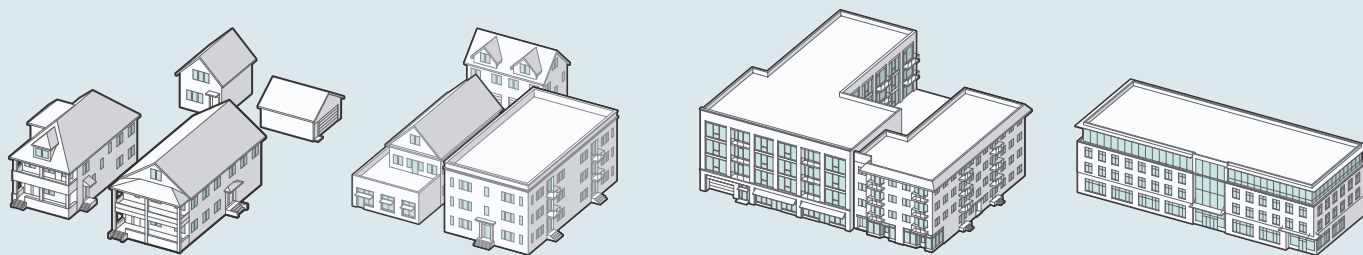
Ordinance No. 347-2024

By Council Members: Hairston and Griffin (by departmental request)

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Title VIIA, Cleveland Neighborhood Form-Based Code, which consists of Chapters 3001 through 3007; and to amend Section 327.01 of the codified ordinances, as enacted by Ordinance No. 546-93, passed June 14, 1993, to reference the new Title VIIA, Cleveland Neighborhood Form-Based Code.

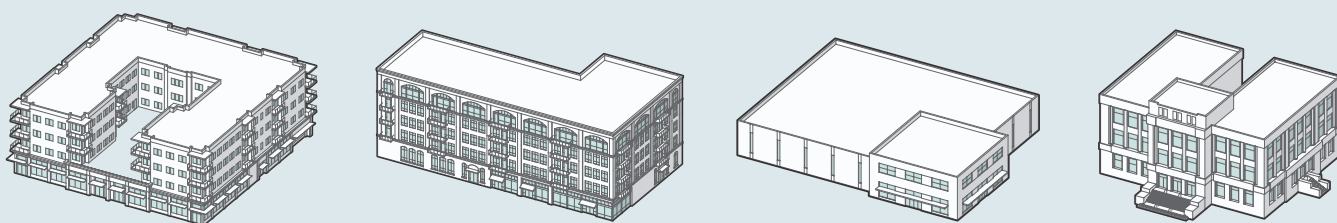
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Title VIIA, Cleveland Neighborhood Form-Based Code, which consists of Chapters 3001 through 3007, to read as follows:



Title VIIA

CLEVELAND NEIGHBORHOOD FORM-BASED CODE



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CHAPTER 3001.

INTRODUCTORY PROVISIONS

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Section 3001.1. 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 passed on _____ and became effective on _____ (Ord. No. ____)

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, Charter § 76-5, Section 330.01 of the Codified Ordinances of Cleveland, Ohio, 1976.

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 – Cudell.
2. Hough.
3. Opportunity Corridor – New Economy and Innovation Square.
4. Opportunity Corridor – Core Jobs Zone.

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

1. If any condition or requirement imposed by this Code contains an actual, implied or apparent conflict with another provision of this Code, the more restrictive condition or requirement controls.
2. If any condition or requirement imposed by this Code contains an actual, implied or apparent conflict with any condition or requirement of any other provision of the Code of Ordinances, the provisions of this Code control.

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. Technical modifications in accordance with the provisions of *Section 3005.1* 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.

Section 3001.2. Districts

1.2.1. Districts Established

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

HOUSE-SCALE	URBAN NODE
H3 House 3	UN3 Urban Node 3
H4 House 4	UN4 Urban Node 4
NEIGHBORHOOD-SCALE	UN5 Urban Node 5
N2.5 Neighborhood 2.5	INDUSTRIAL FLEX
NX3 Neighborhood Flex 3	IX3 Industrial Flex 3
COMMUNITY-SCALE	IX5 Industrial Flex 5
C3 Community 3	IX7 Industrial Flex 7
CX3 Community Flex 3	URBAN INNOVATION
C4 Community 4	UI4 Urban Innovation 4
CX4 Community Flex 4	UIC Urban Innovation Campus
C5 Community 5	SPECIAL
CX5 Community Flex 5	CV Civic
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CHAPTER 3002.

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Section 3002.1. 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
2.2.2	Site Width	●	○	○	○	○	○	○
2.2.3	Dwelling Units per Site	●	○	○	○	●	○	○
2.2.4	Amenity	●	●	●	○	●	○	○
2.2.5	Walls & Fences	●	●	●	○	●	○	○
2.2.6	Streetscape	●	●	●	○	○	○	○
2.2.7	Setbacks	●	●	○	○	○	○	○
2.2.8	Transitions	●	●	●	○	●	○	○
2.2.9	Street Build-Out	●	●	○	○	○	○	○
2.2.10	Parking Location	●	●	●	○	○	○	○
2.2.11	Massing	●	●	○	○	○	○	○
2.2.12	Story Height	●	●	○	○	○	○	○
2.2.13	Windows	●	●	○	●	○	○	○
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 *Section 3002.2*.

Section 3002.2. Rules of Interpretation

2.2.1. General Provisions

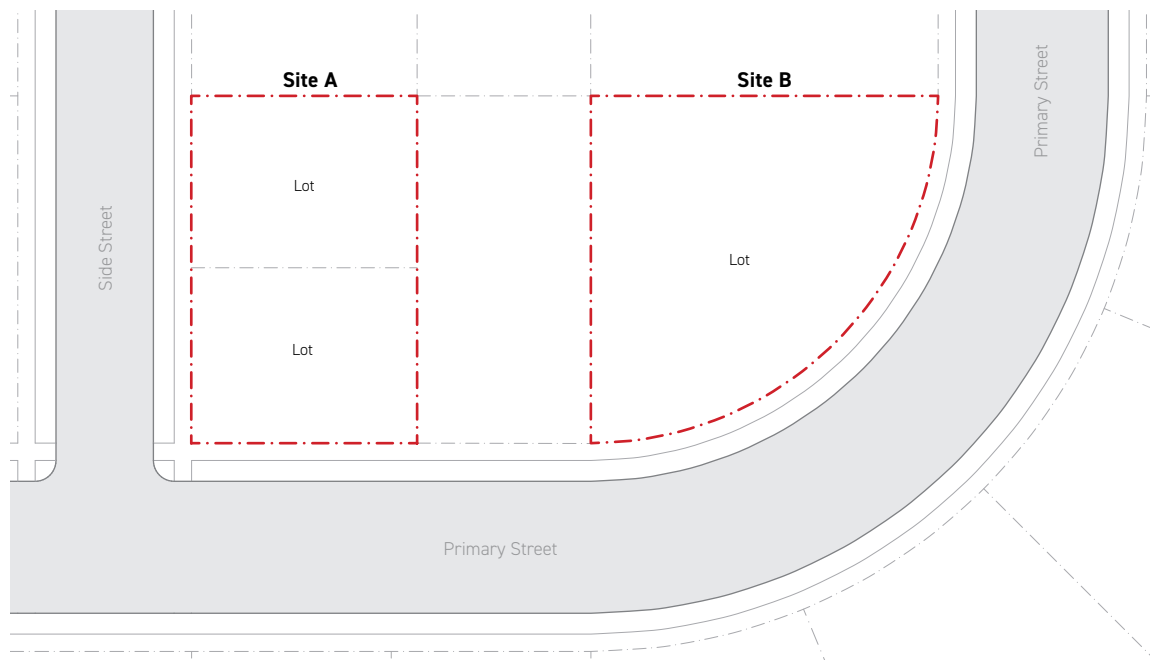
A. Specific Terms

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

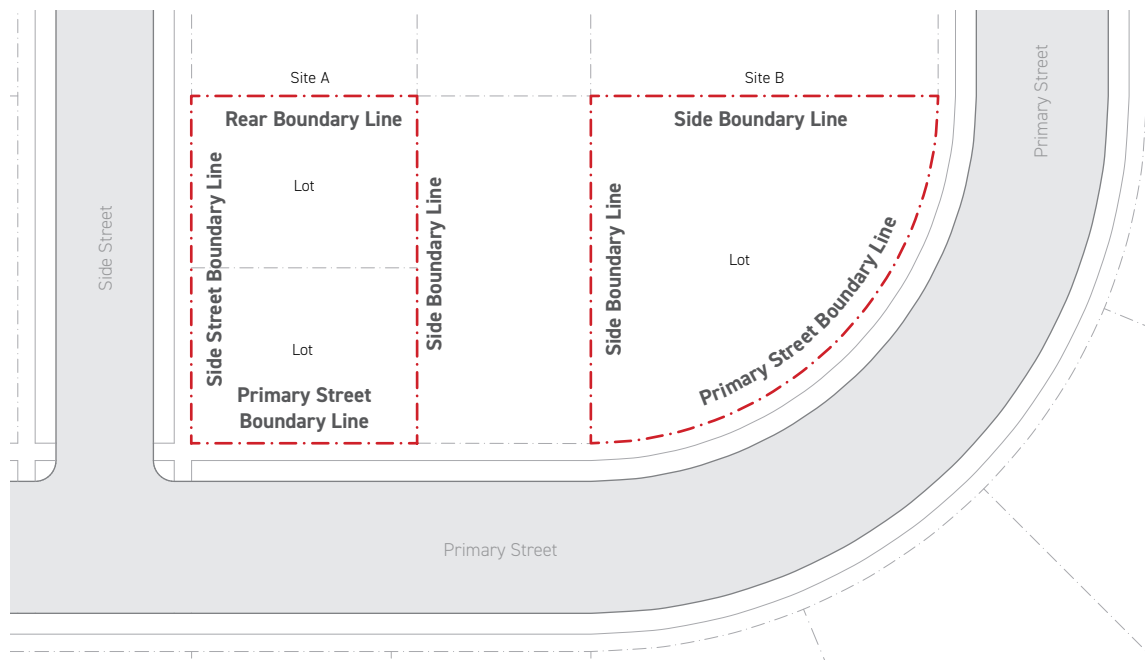
- a. A parcel of land either vacant or occupied intended as a unit for the purpose, whether immediate or for the future, of transfer of ownership or possession or for development.
- b. A lot does not have to abut a primary street, side street or alley but must abut a permanent vehicle access easement 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, the Administrator will determine the primary street boundary line 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/or
 - 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

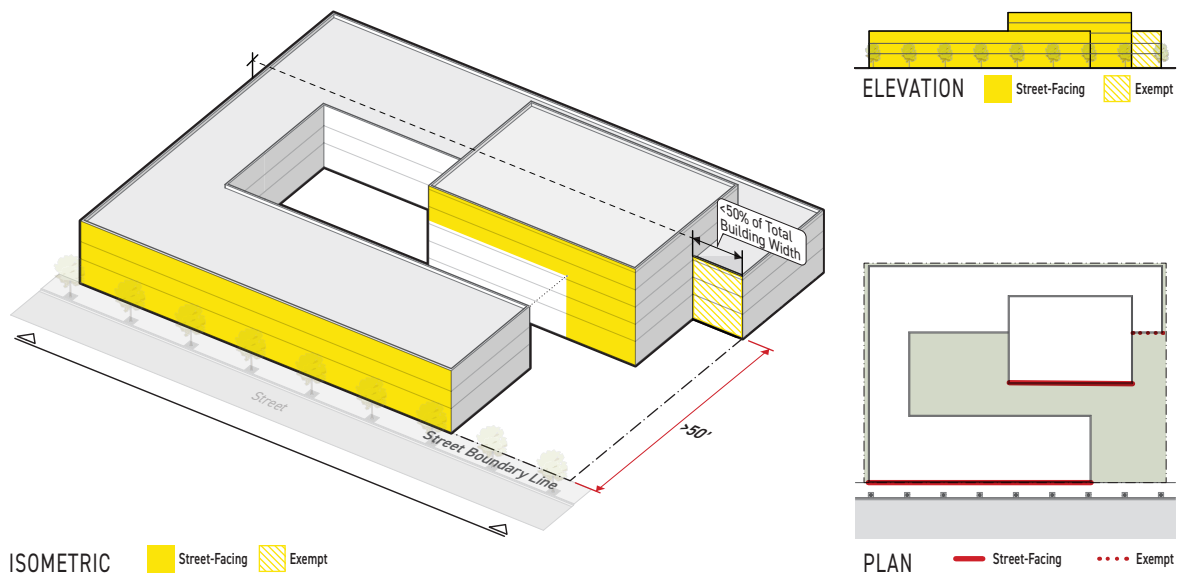
Any boundary line shared by multiple lots. Common boundary lines include all side and rear boundary lines.

C. Residential and Nonresidential Uses

1. Residential uses include all uses listed in the residential category if allowed in the zoning district - see *Section 3003.3*.
2. Nonresidential uses include all uses listed in the commercial or industrial categories if allowed in the zoning district - see *Section 3003.3*.

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.



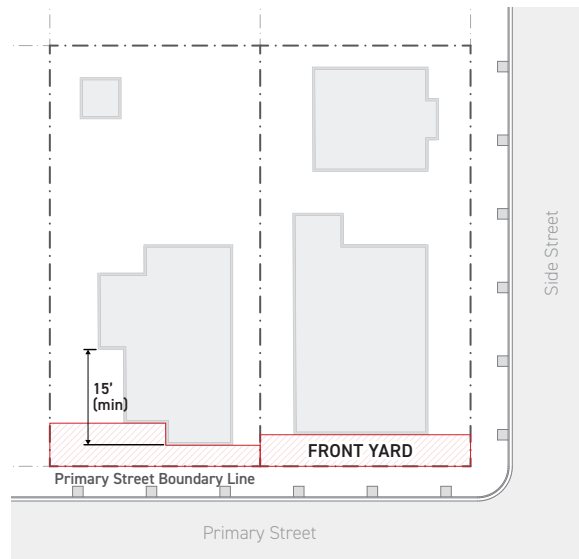
E. Yard Designations

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.

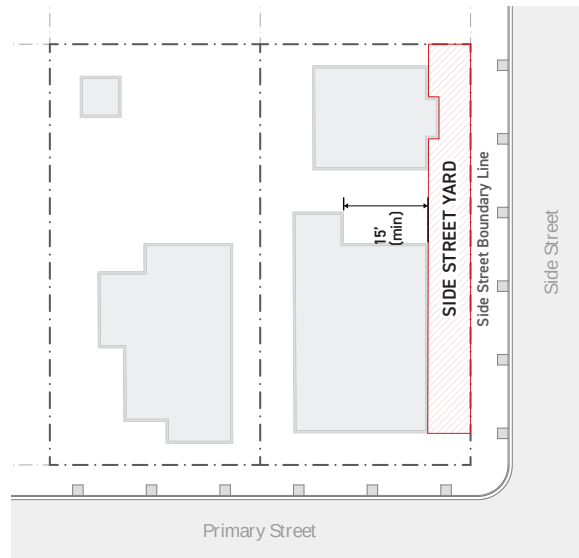
2. Front Yard

- 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.



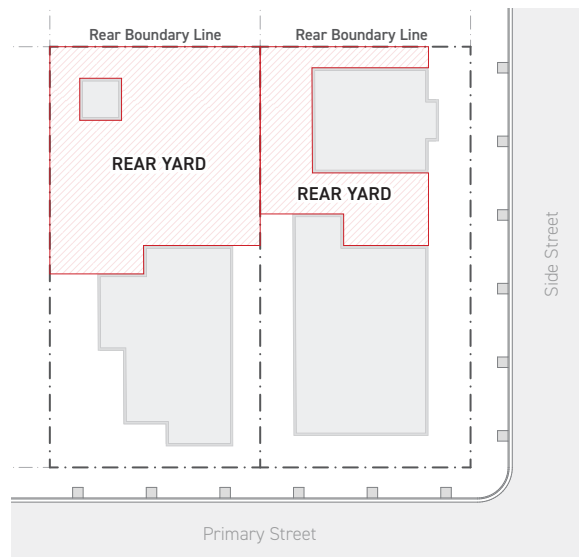
3. Side Street Yard

- 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.
- A side street yard does not include any building facade set back more than 15 feet from the principal building's street-facing facade.
- Portions of a site that meet the criteria for side street yard designation cannot be designated as any other yard.
- 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.



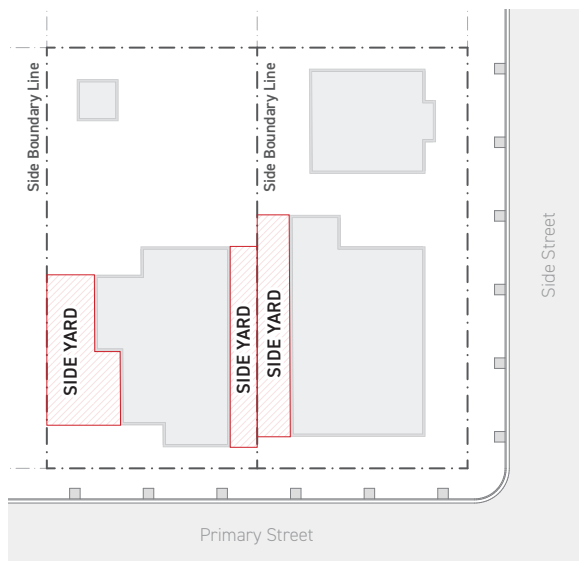
4. Rear Yard

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

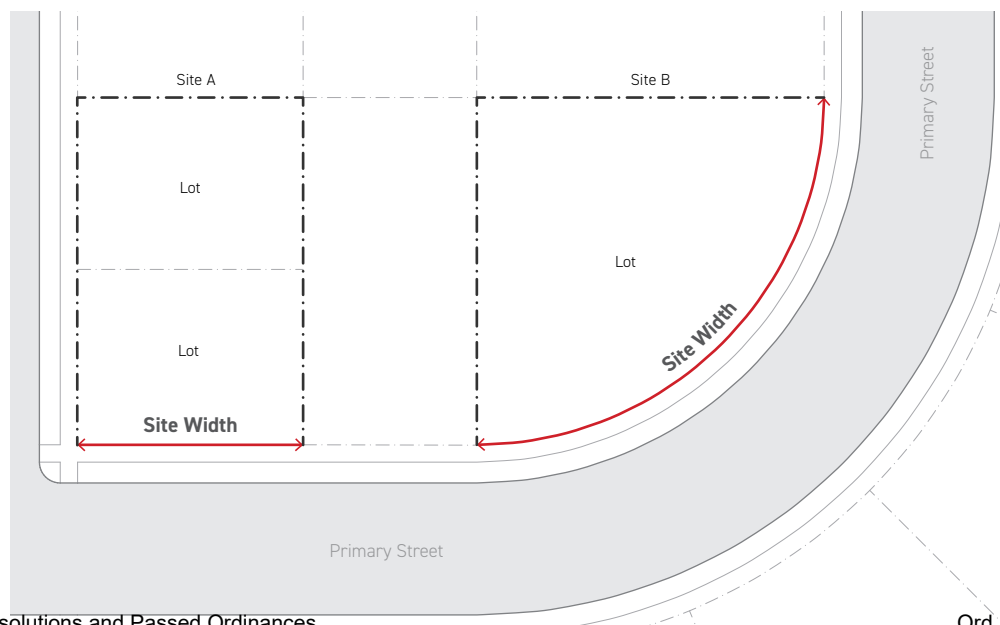
To help ensure new developments are generally consistent with the character of the neighborhood and other properties within the same zoning district and to help ensure safe and adequate vehicular access to and from a site.

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 *Section 3005.1*.

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

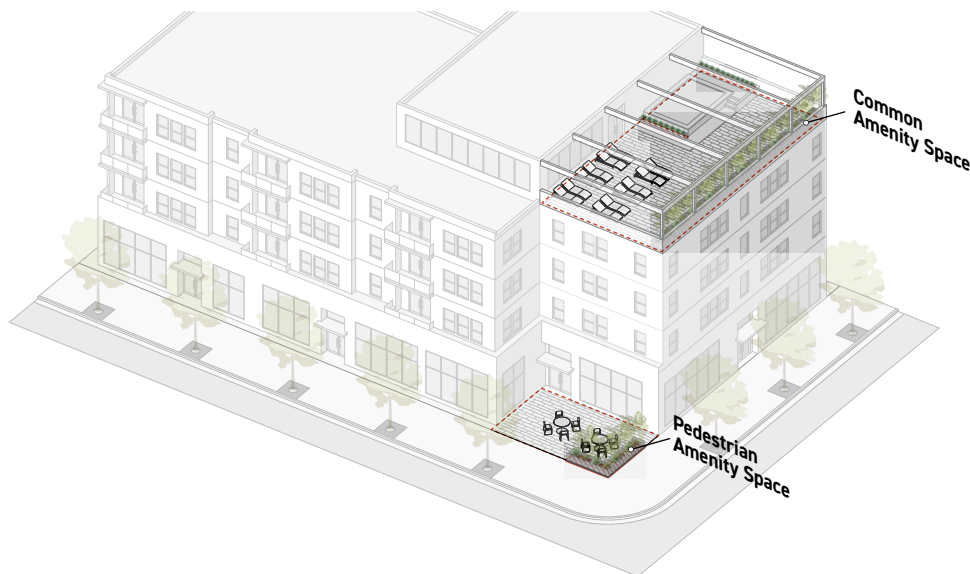
To help provide adequate recreation and open space areas for residents and tenants, and to ensure such spaces are accessible, usable, and safe.

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.

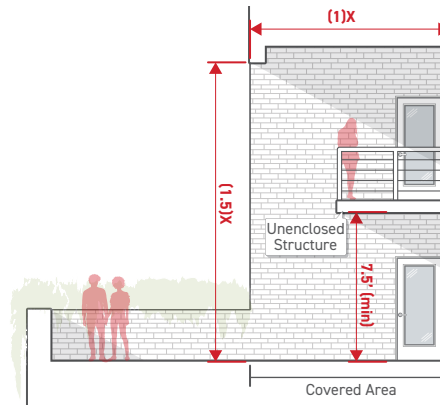
C. Outdoor Amenity Space

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.

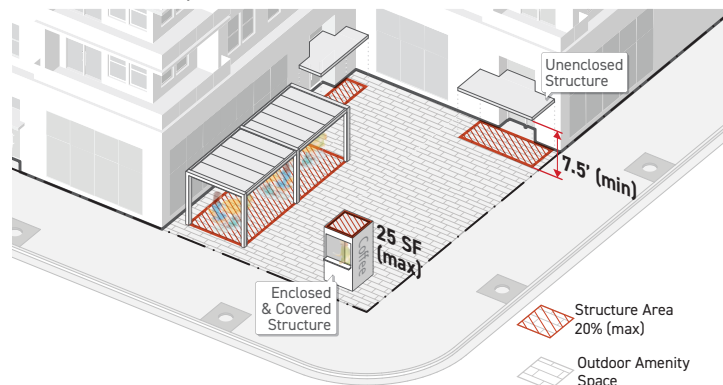


5. Outdoor amenity space cannot be fully enclosed.

6. No portion of an outdoor amenity space can have a clear height of less than 7.5 feet.
7. Outdoor amenity space that is roofed must have a minimum clear height of 1.5 times the depth of the roofed area.



8. The following are exempt from the outdoor amenity space standards above, provided all exemptions have a cumulative area no greater than 20% of the contiguous outdoor amenity space area.
 - a. Roofed structures having a clear height of at least 7.5 feet; and
 - b. A small building providing goods or services to tenants of the project or the public, having an area of no more than 25 square feet.



D. Common Outdoor Amenity Space

1. Each square foot of common outdoor amenity space counts as 1 square foot of required outdoor amenity space.
2. Where common outdoor amenity space is provided to satisfy the requirement for outdoor amenity space, it must meet the following standards:
 - a. Common outdoor amenity space must meet the requirements of [2.2.4.C, Outdoor Amenity Space](#).
 - b. Common outdoor amenity space must be made available to all tenants of a building, at no cost, from sunrise to sunset daily or during the hours of operation of the building, whichever results in a longer period of time. The space may not be reserved or in any way exclude any tenant during the time it is required to be made available to all tenants.

- 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 4 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 *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 33% of the total area of the pedestrian outdoor amenity space must be planting area. Planting areas can have no horizontal dimension less than 6 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 *Section 3005.1*.
- 2. A change of up to 20% from an amenity dimensional standard may be requested in accordance with *Section 3005.1*.

2.2.5. Walls and Fences

See 4.3.3.

2.2.6. Streetscape

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

A. Intent

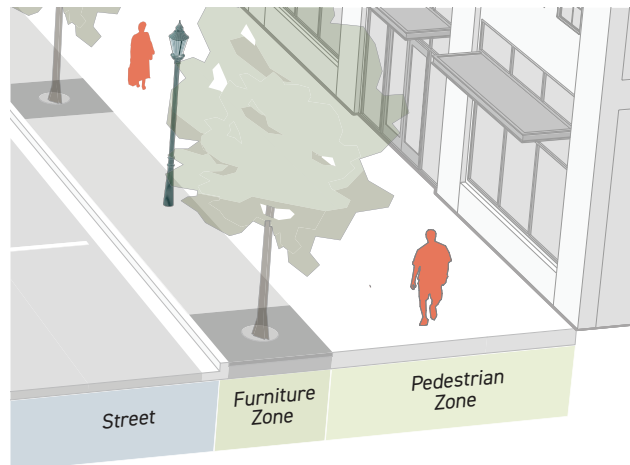
To help ensure an attractive and inviting public realm that provides a safe and protected walkway for pedestrians.

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. For new construction in H3, H4, N2.5, and NX3 districts, the pedestrian zone must match the existing context.
4. 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. For new construction in H3, H4, N2.5, and NX3 districts, the furniture zone must match the existing context.
3. 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. Street Trees

1. Street trees must be installed in the furniture zone.
 - a. In consultation with the Division of Urban Forestry, street trees shall be planted every 20-30 feet, and the street tree planted shall be the largest tree species appropriate at a given site.
 - b. Street trees must be installed in accordance with standards and specifications prescribed by the Division of Urban Forestry, which shall include but are not limited to:
 - i. Appropriate street tree spacing;
 - ii. Appropriate street tree species;
 - iii. The timeline during which street trees must be installed;
 - iv. The standard of maintenance for street trees, so that they maintain a healthy, growing condition; and
 - v. The standard under which a street tree shall be deemed necessary to replace.
 - c. Planting a street tree shall require a permit from the Division of Urban Forestry.
 - d. The Division of Urban Forestry may, in its discretion, grant a waiver to the street tree requirement only if one or more of the following conditions are met:
 - i. There are existing street trees in a healthy, growing condition.
 - ii. There are existing private trees that would inhibit the growth of new street trees or another form of canopy conflict.
 - iii. The specific location of a curb cut, utility line, underground vault, transit stop, or other feature conflicts with the placement of a new tree.
 - e. When installation in the furniture zone is not feasible, the Division of Urban Forestry may, in its discretion, require tree installation in an alternative location within the close or immediate proximity of the subject property so long as there is a direct benefit to the property.
2. The dimensional standards for street tree installations are:
 - a. For single tree planting area soil volume (continuous soil volume for one tree): min. 1000³ ft.

- b. For shared tree planting area soil volume (continuous soil volume for two or more trees): min. 750 cubic feet per tree.
- c. For raised curb planters:
 - i. Raised curb planter surface dimensions: min. 6' x 6'.
 - ii. Single raised curb planter soil volume (continuous soil volume for one tree): min. 1,000 cubic feet.
 - iii. Shared raised curb planter soil volume (continuous soil volume for two or more trees): min. 750 cubic feet per tree.
 - iv. The surface between connected raised curb planters must be pervious.
 - v. Raised curb planters must be designed to receive and filter stormwater runoff.

G. Relief

A change of up to 20% from a streetscape dimensional standard may be requested in accordance with *Section 3005.1*.

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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

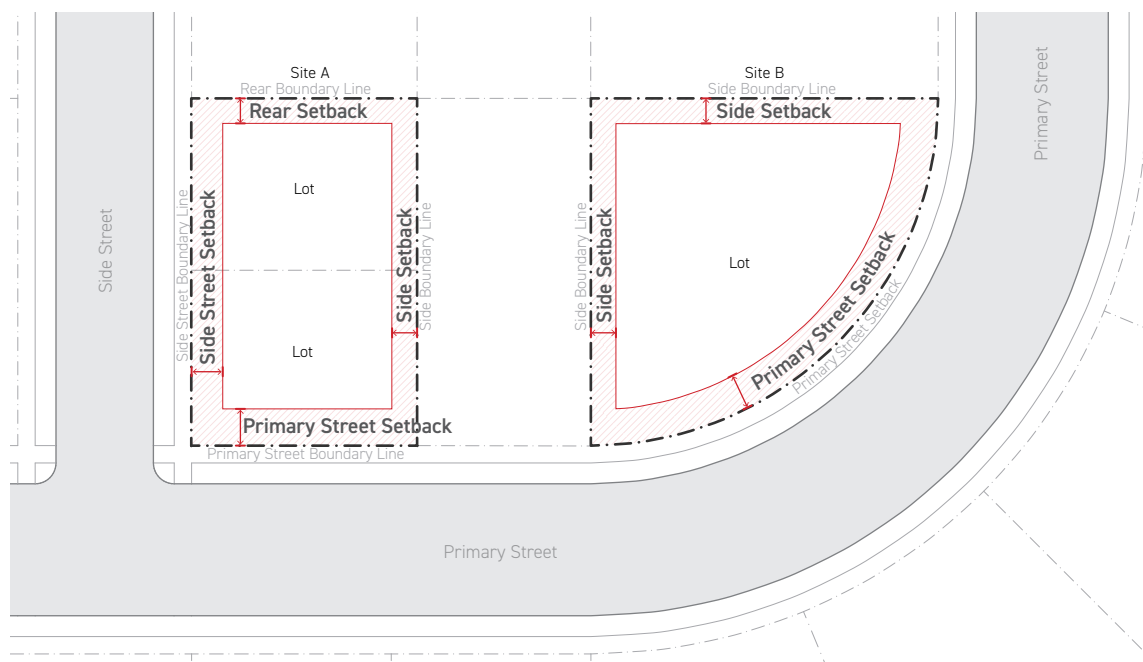
To provide open areas and help reduce the impact of buildings or structures on abutting sidewalks and neighboring development.

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.

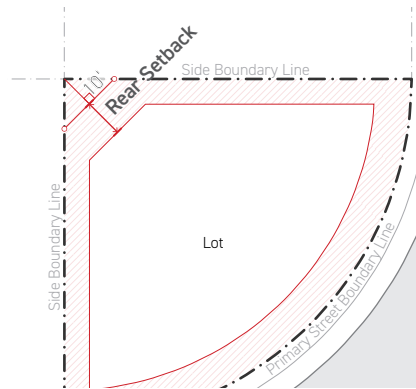
C. Standards

1. 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 2.2.7.D. Lots do not have to be consolidated within a site, but buildings, structures and utilities cannot be built over lot lines.
2. 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.

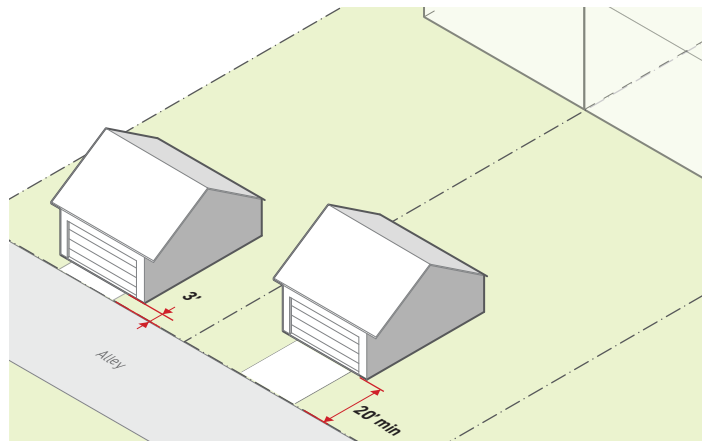


3. A primary street setback is measured inward from the primary street boundary line. The primary street minimum setback along Chester Avenue can be reduced to 0 feet when there is at least 5 feet between the right-of-way and the pedestrian zone.

4. The Technical Review Committee may modify the primary street maximum setback along Chester Avenue to accommodate irregular frontage lines, utilities and other immovable structures.
5. A side street setback is measured inward from the side street boundary line.
6. A side setback is measured inward from the side boundary line.
7. A rear setback is measured inward from the rear boundary line.
 - a. For the purpose of measuring a 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.



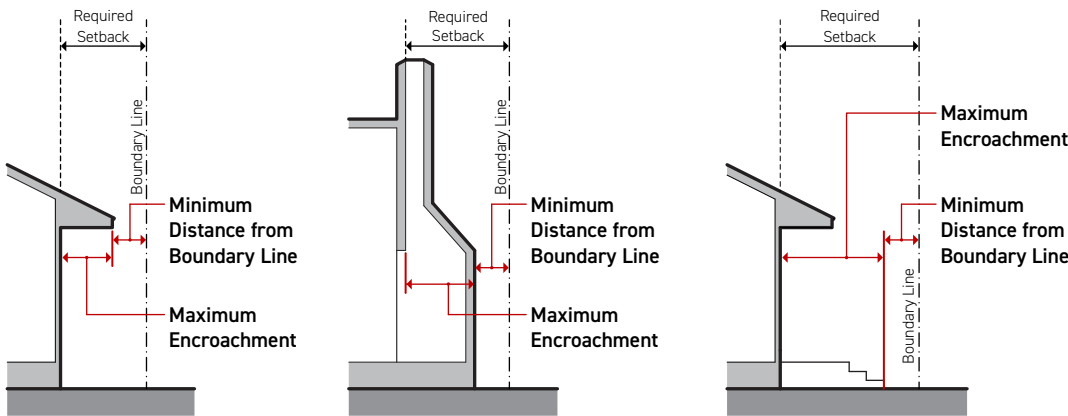
- b. Where the primary street boundary line is not straight, the rear setback line must be parallel to a line connecting the end points of the primary street boundary line.
8. An alley setback is measured inward from the edge of the alley pavement. When the alley setback is 3 feet or 20 feet minimum, 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
Architectural Details			
<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'
Roof Projections			
<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'
Unenclosed Structures (ground story)			
<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
Unenclosed Structures (above ground story)			
<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'
Enclosed Structures			
<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>			

	Primary St. / Side St. Setback	Side/Rear Setback	Alley Setback
Encroachment (max)	2'	3'	0'
Distance from boundary line (min)	0'	3'	same as district
Mechanical/Electrical Equipment			
<i>Examples include: gas meters, electrical meters, water heaters, HVAC equipment, cisterns, wind turbines and solar panels</i>			
Encroachment (max)	0' ⁽¹⁾	0'	0'
Distance from boundary line (min)	same as district	1.5	same as district
Waste Receptacle Enclosure			
<i>Examples include: trash compactors, garbage, recycling and food waste and their associated screening</i>			
Encroachment (max)	0' ⁽¹⁾	0'	0'
Distance from boundary line (min)	same as district	10'	same as district
Signs	see Chapter 350		

⁽¹⁾ 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.

- Handicap ramps/lifts and fire escapes.
- 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.
- Covered structures located entirely below grade. Examples include cellars, basements, storm water storage and cisterns.
- Sidewalks, multi-use paths, ramps, driveways, patios and decks 2.5 feet in height or less, measured from grade.
- Fences and walls - [see 4.3.3](#).
- 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.
- Natural stormwater devices.
- 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 [Section 3005.1](#), 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

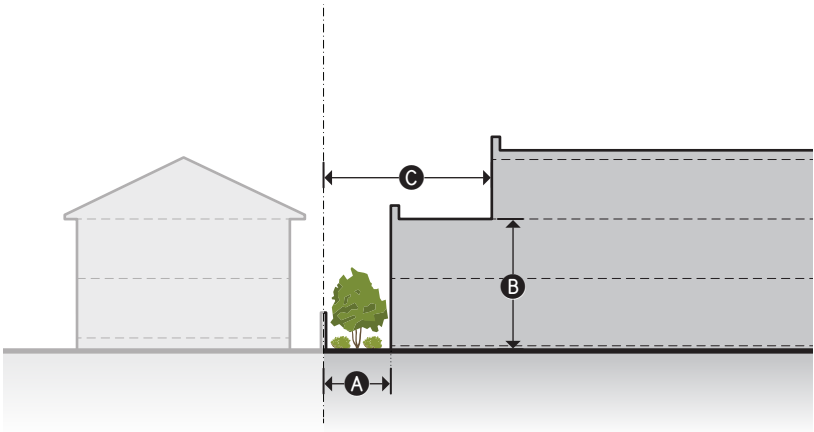
To mitigate negative impacts from subject uses to adjacent uses, promoting visual interest and increasing comfort for users of the subject lot, the public realm and abutting lots.

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 subsection.
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			
A	Setback from transition district boundary line (min)	10'	B	Height without additional setback (max)	24'2 stories
	Required transition type	Type B2 (4.3.2.B.3)	C	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 [Section 3005.1](#).

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

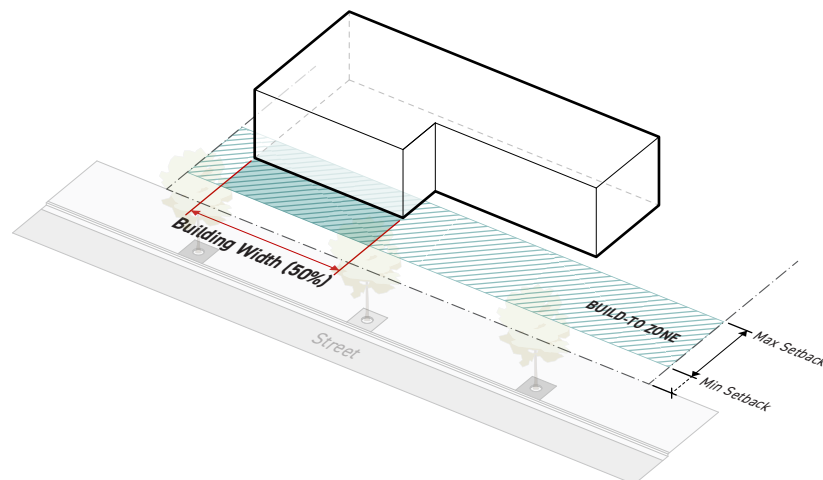
To regulate the placement of buildings along the public realm so that buildings frame the public realm with a consistent street wall.

B. Applicability

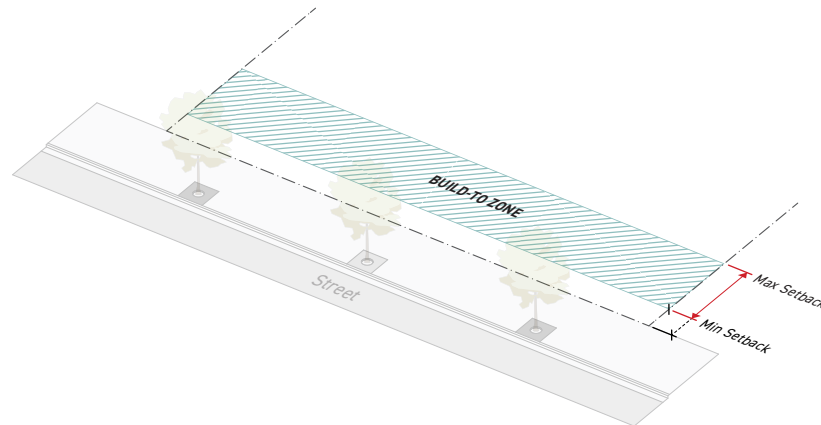
1. The street build-out requirement applies to all sites.
2. The street build-out does not apply to individual lots that are part of the larger site.
3. The street build-out requirement applies to the ground story of a building only.

C. General

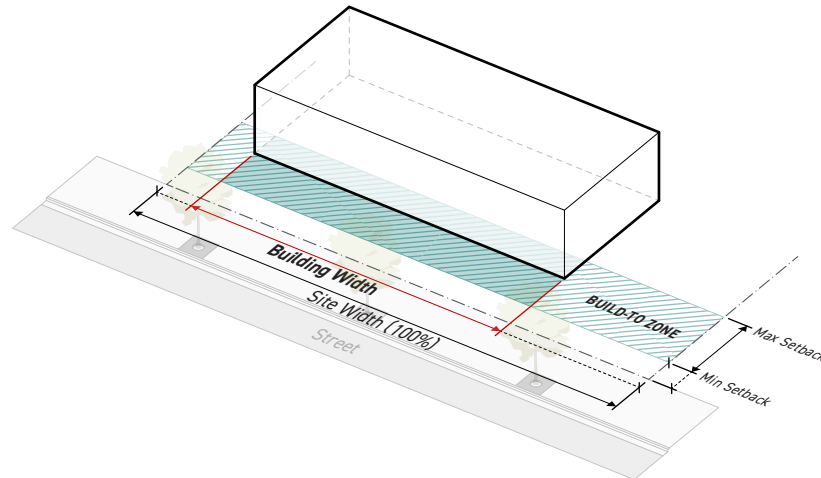
1. No building or portion of a building can be located outside of the build-to zone, until the primary and side street build-out requirements for the site, as specified for the zoning district, have been met. Once the minimum street build-out requirement has been met for the site, buildings and structures 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.



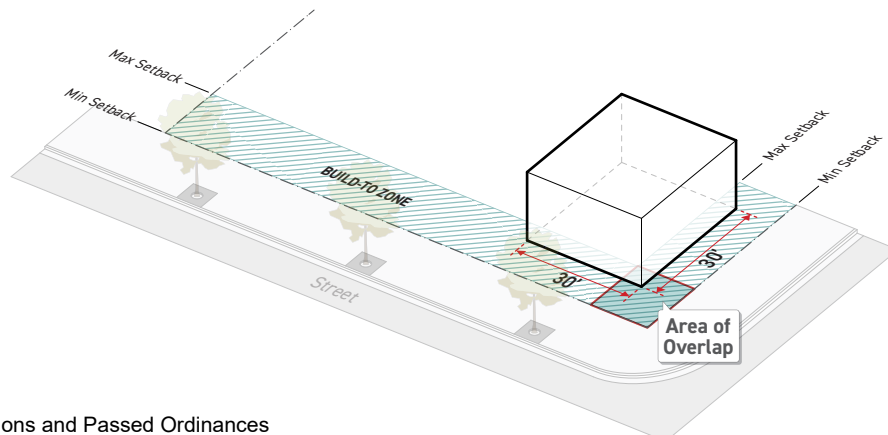
3. The build-to zone is measured perpendicular to the primary or side street boundary line from the minimum primary or side street building setback to the maximum primary or side street setback.



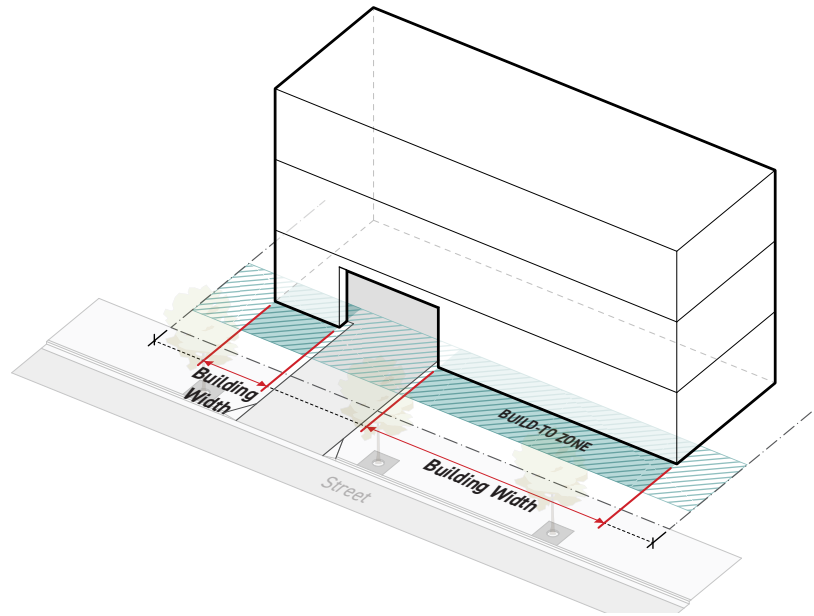
4. The street build-out requirement is measured as a percentage as the sum of all building widths occupying the build-to zone, divided by the total width of the site.



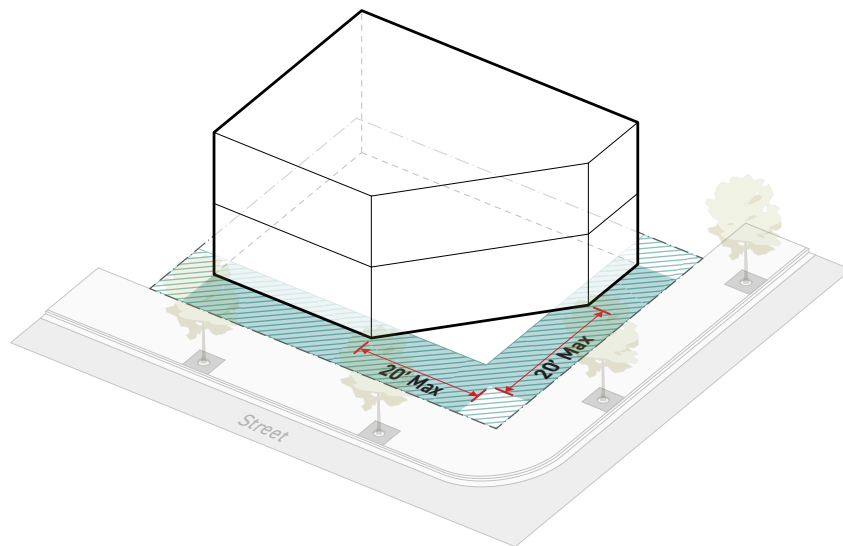
5. On a corner site where intersecting street boundary lines both have a street build-out requirement, a building must occupy the portion of the site where the two intersecting build-to zones overlap. The building must occupy the build-to zones for both street boundary lines for a minimum of 30 feet 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.



6. 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.



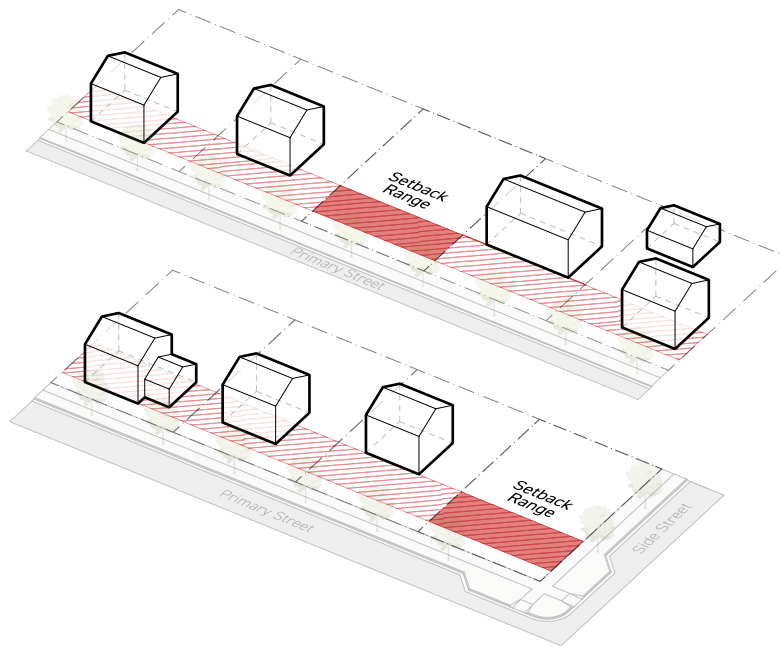
7. A chamfered corner no more than 20 feet in width located on the ground story of a building and extending outside of the build-to counts towards the street build-out requirement.



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 Administrator 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 *Section 3005.1*.
2. A change in the established setback range of up to 10% may be requested in accordance with *Section 3005.1*.

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.

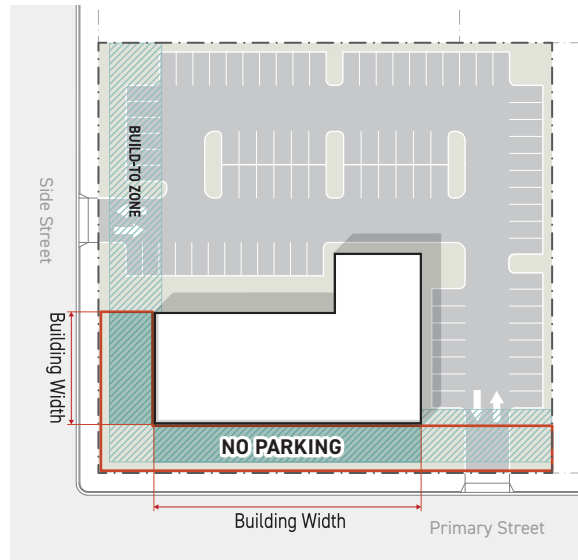
C. In a Required Yard

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 4.2.1.
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 2.2.1.E, *Yard Designation*.

D. Between the Building and Street

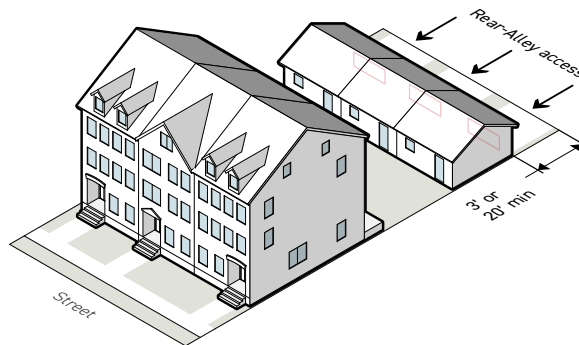
1. No parking or area designed for motor vehicle use, except for driveway access, can be located between the portion of a building used to meet the street build-out requirement and the street. The driveway must follow the most direct route from the street to the designated parking area or vehicle use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

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



E. Townhouses

1. 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.
2. Garage doors must face the rear or side alley or easement.
3. The garage door must be either:
 - a. 3 feet from the edge of alley pavement; or
 - b. 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.

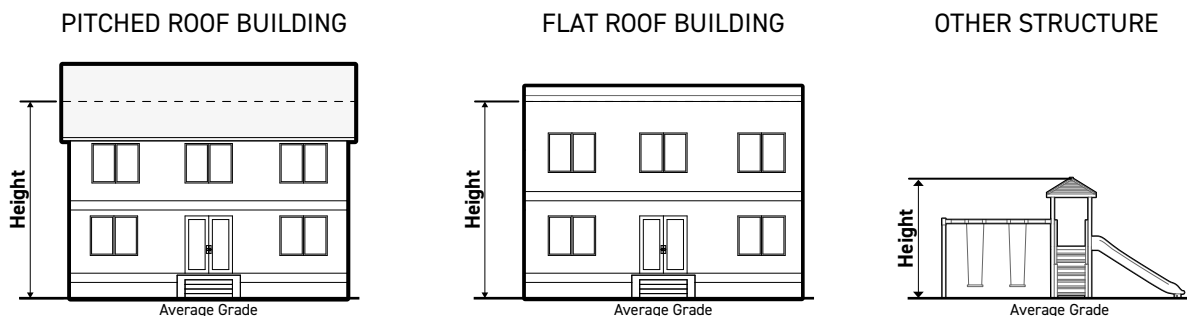
3. General

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 [2.2.11.A.8.](#)

4. Height in Feet

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

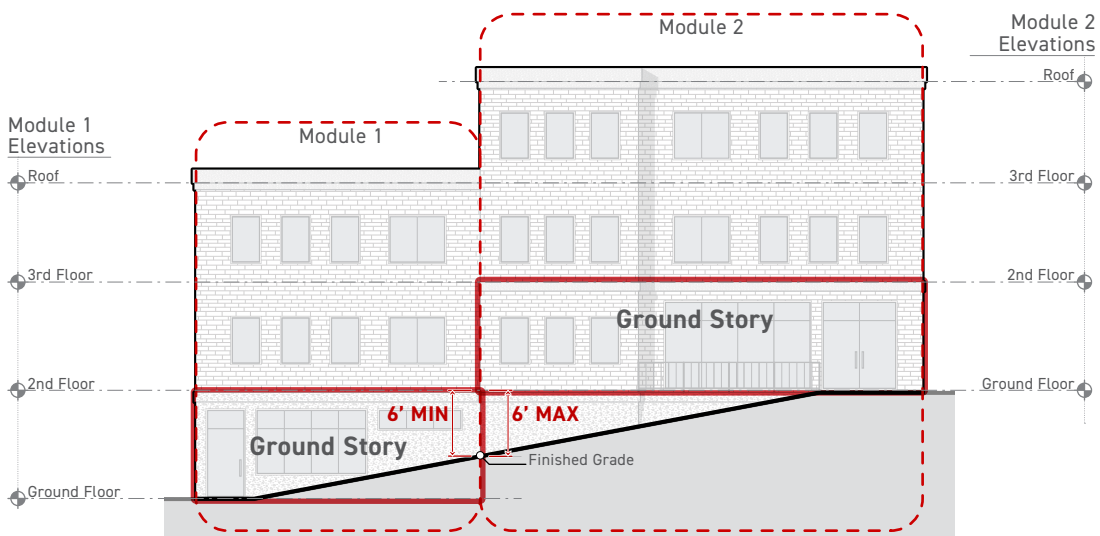
- The mid-point of the roof, for a building with a pitched roof;
- The top of the roof deck, for a building with a flat roof; and
- The topmost point of the structure, for all other structures.



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.



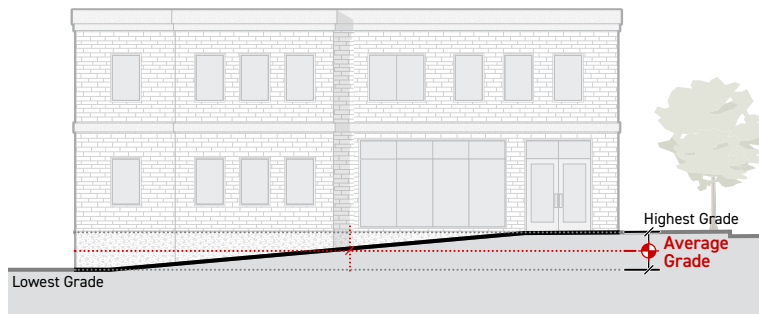
- d. An occupiable space in a building located below the ground story is a basement. Basements are not included in the calculation of maximum height in stories.

- 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

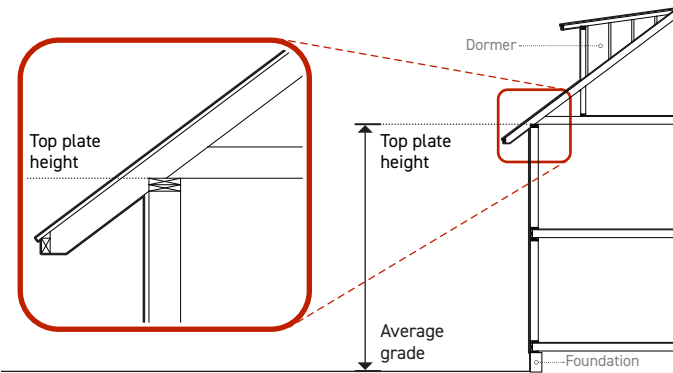
- a. Average grade is calculated by averaging the highest and lowest elevation of the sidewalk in front of the primary street-facing building facade.



- 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'
Architectural Elements <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'
Safety Barriers <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'
Vertical Circulation <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'
Unenclosed Structures <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 dinning, permanent seating, beehives, sports courts and cooking facilities.</i>			
Encroachment (max)	8'	8'	8'
Setback from roof edge (min)	5'	5'	5'
Mechanical/Electrical Equipment <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'
Flatwork			
<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'
Vegetation			
<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'
Signs	see Chapter 350		

9. Relief

- a. An increase in maximum height in feet of up to 20% may be requested in accordance with [Section 3005.1](#).
- b. An increase to an encroachment dimension of up to 20% may be requested in accordance with [Section 3005.1](#).

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.

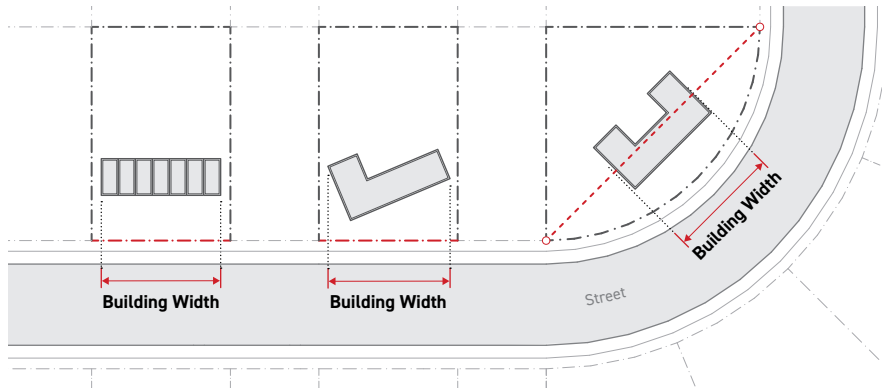
2. Applicability

- 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 ([2.2.12.B](#)) required by the zoning district.
- c. Building width requirements do not apply to the exceptions listed in [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.

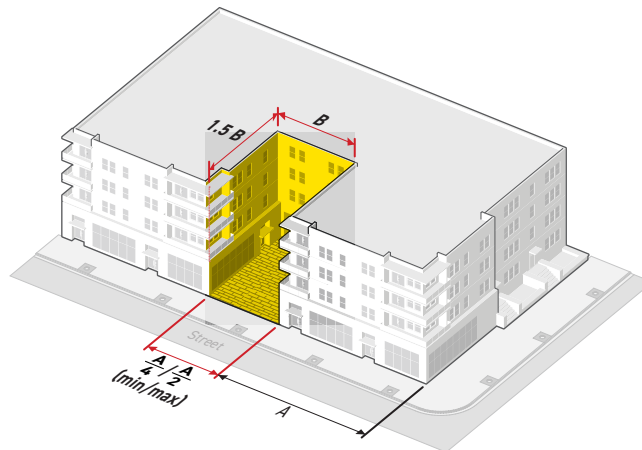
- c. Building width is measured horizontally and parallel to each abutting primary street or side street boundary line from one end of an applicable building or collection of connected buildings to the opposite end.



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:

- The width of the open space can be no more than $\frac{1}{2}$ the width of the widest adjacent building width provided and no less than $\frac{1}{4}$ the width of widest adjacent building width provided.
- The depth of the open space must be at least 1.5 times the width of the open space.
- A maximum of 1 open space exception can be used for each building.
- The open space must meet *2.2.4.D, Common Outdoor Amenity Space*.



5. Relief

Increased building width of up to 20% may be requested in accordance with *Section 3005.1*.

C. Active Depth

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

1. Intent

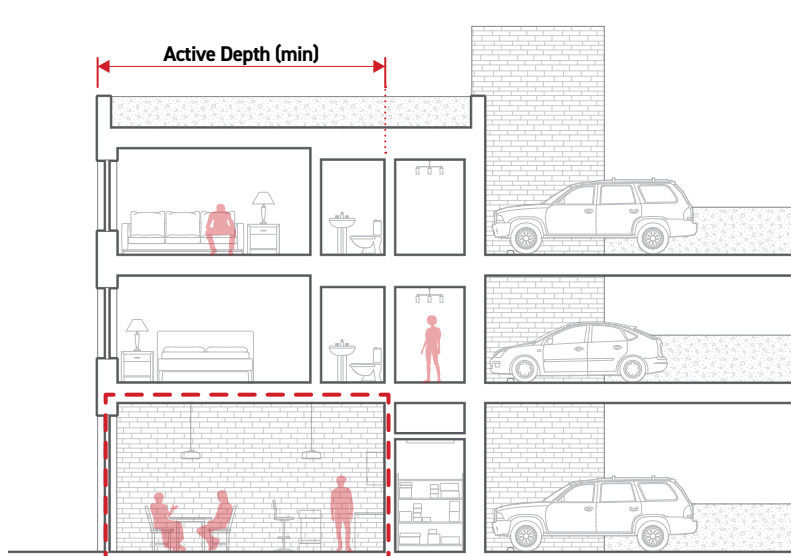
To help minimize the impact of dead space on the public realm and to promote a comfortable, safe, engaging and attractive built environment with active uses along the public realm.

2. Applicability

- The active depth requirement applies to all portions of a building used to meet a street build-out requirement - see 2.2.9.
- The active depth requirement applies to the ground story only - see 2.2.11.A.5.

3. Standards

- 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.
- 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 Section 3005.1.

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

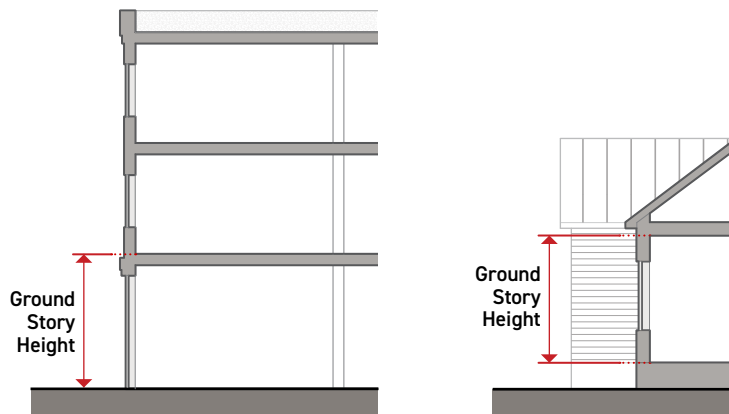
To promote high-quality ground-story spaces that are adaptable and appropriate to their intended use and surrounding context.

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 *Section 3005.1*.

B. Ground Floor Elevation

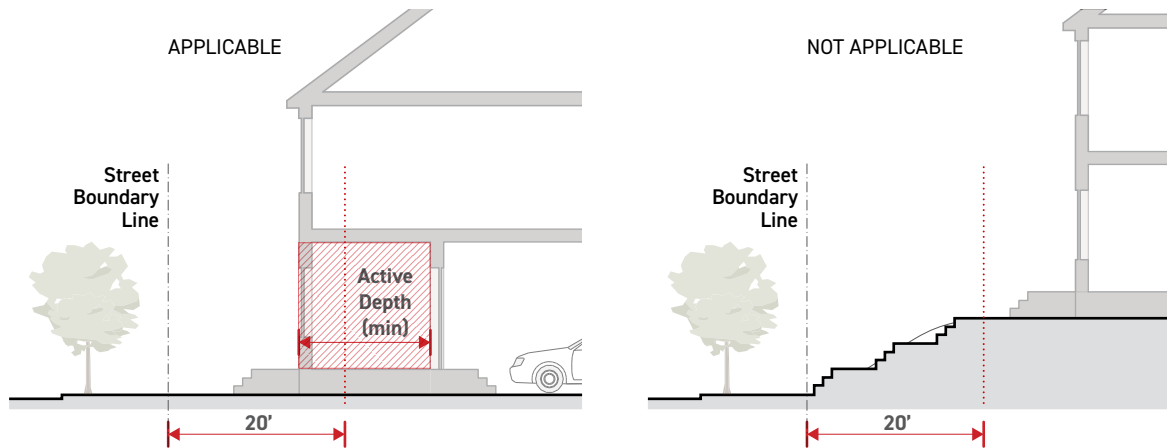
The finished floor height associated with the story of a building having its finished floor elevation nearest to the finished ground surface.

1. Intent

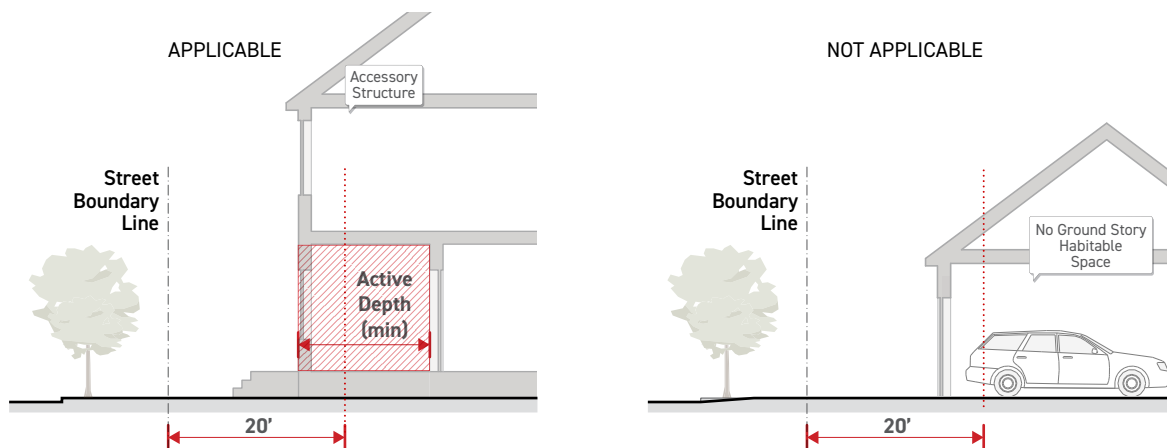
To promote “eyes” on the street, increase the perception of safety and encourage visual connections between the public realm and the exterior of a building.

2. Applicability

- 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.
- The ground floor elevation standards apply only to the required ground floor active depth.

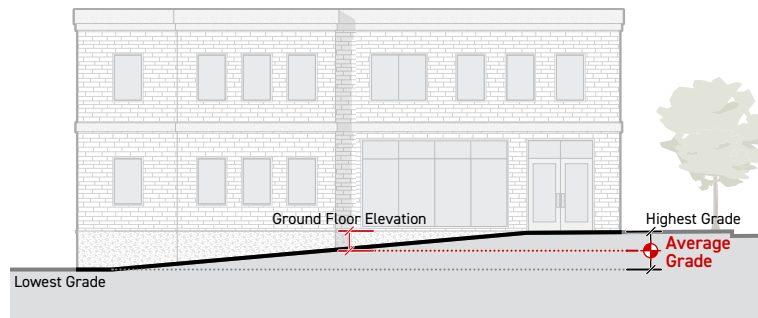


- The ground floor elevation standards do not apply to accessory structures, unless the ground story of the accessory structure contains habitable space for a dwelling unit.



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 *Section 3005.1*.

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

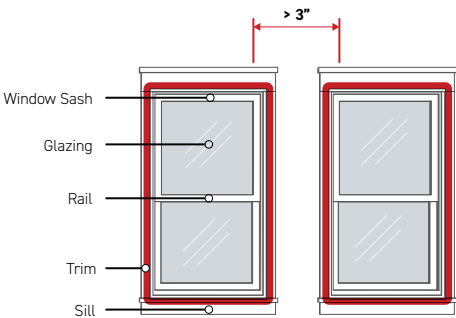
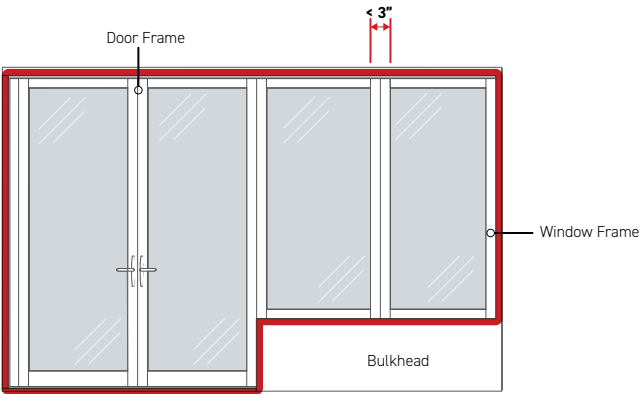
Transparency requirements apply to all street-facing building facades.

3. General

- a. Applicable ground and upper story building facades must meet the minimum transparency of the zoning district.
- b. 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%

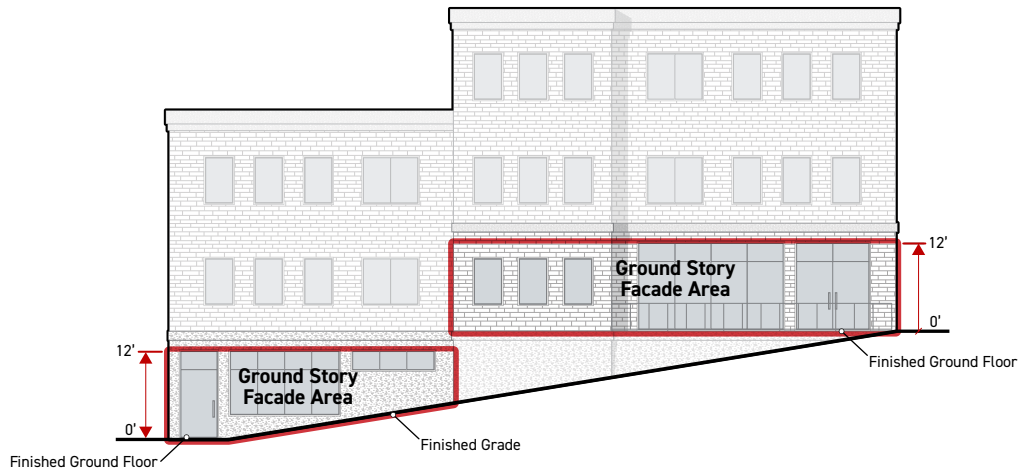
- c. Windows and doors used to meet the transparency requirements may be temporarily covered by operable window treatments, such as curtains or blinds.
- d. Muntins, mullions, window sashes, window frames and door frames that are integral to window and door assemblies that are less than 3 inches in width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



4. Ground Story

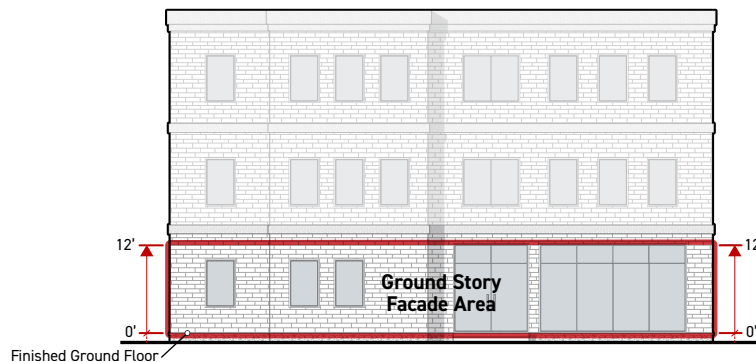
a. General

- 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.



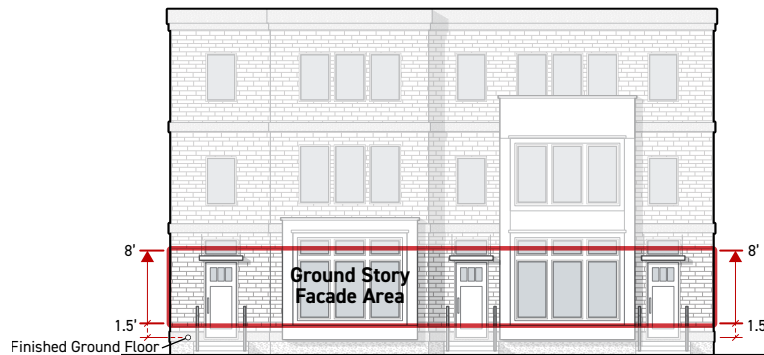
- ii. If the ground story height is less than 12 feet, ground story facade area is measured between the top of the finished floor of the ground story and the top of the finished floor above. When there is no story above, it is measured to the top of the wall plate.

- 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 of the Zoning Code*



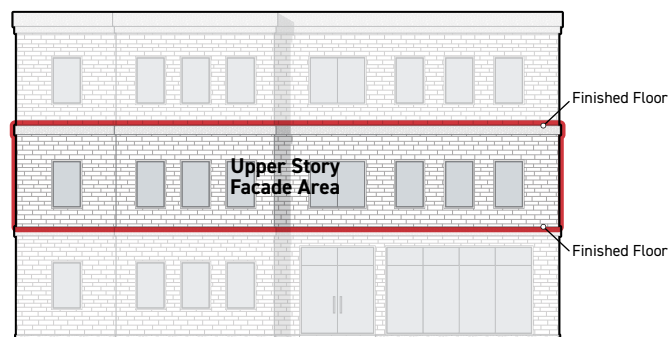
c. Residential/Public/Industrial Ground Story Facade Area

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 *Section 3005.1*.

B. Blank Wall Width

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

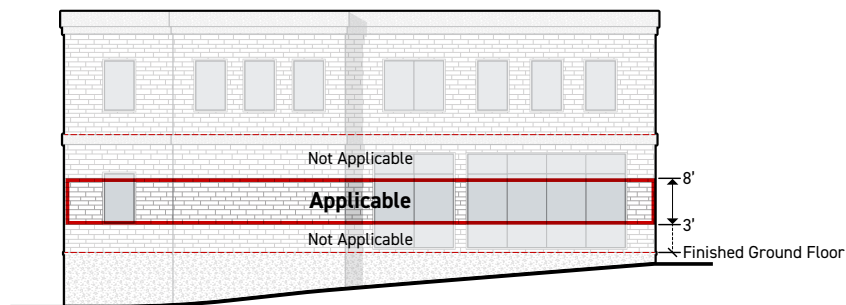
1. Intent

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.

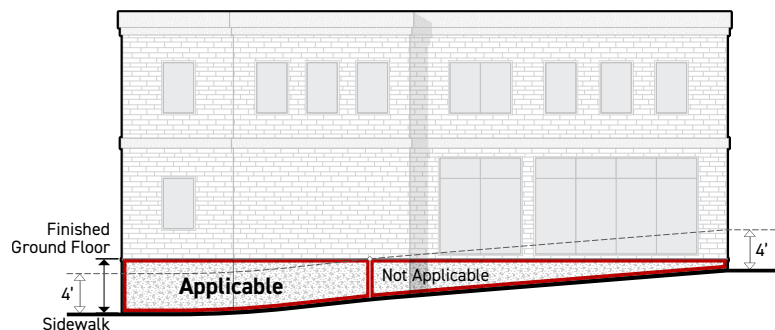
2. Applicability

Blank wall width applies to the following:

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



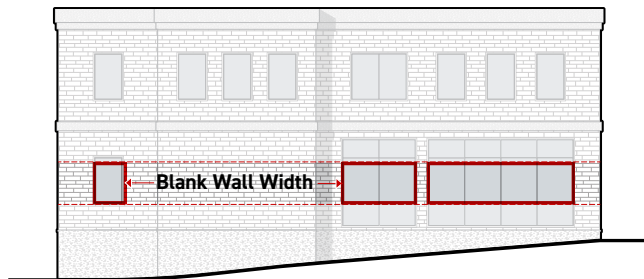
- All portions of foundation walls on street-facing building facades that are exposed 4 feet in height or greater above finished grade. If foundation walls are set back more than 10 feet from a sidewalk, exposed height is measured from the lowest elevation of finished grade within 5 feet, measured from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



3. Ground Story Facade Blank Wall Width

a. Standards

- i. Windows and doors meeting 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.

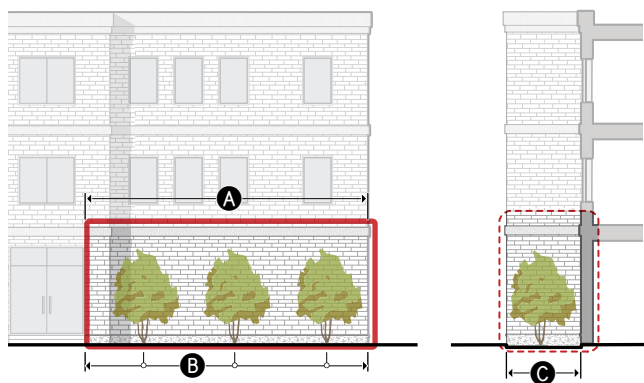


b. Blank Wall Treatments

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

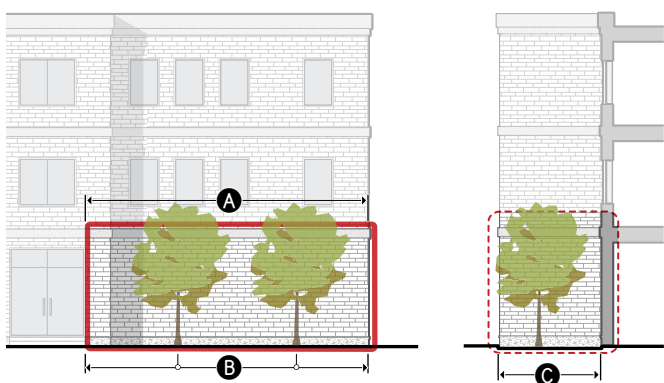
Small trees planted between a ground story facade with no window or door openings and the public realm.



DIMENSIONAL STANDARDS	
A Treatment width (min % of blank wall width)	100%
Tree type	Small
B Planting frequency (min avg.)	5 per 100'
C Single tree planting area soil volume (continuous soil volume for one tree)	Min. 1000 ³ ft.
D Shared tree planting area soil volume (continuous soil volume for two or more trees)	Min. 750 ³ ft. per tree

Large Trees

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



DIMENSIONAL STANDARDS	
A Treatment width (min % of blank wall width)	100%
Tree type	Large
B Planting frequency (min avg.)	3 per 100'
C Single tree planting area soil volume (continuous soil volume for one tree)	Min. 1000 ³ ft.
D Shared tree planting area soil volume (continuous soil volume for two or more trees)	Min. 750 ³ ft. per tree'

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%
---	-----

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%
---	-----

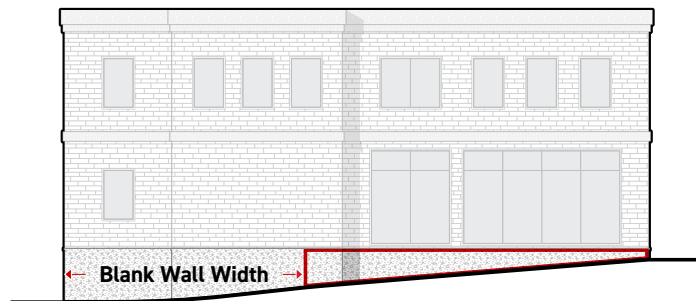
ADDITIONAL REQUIREMENTS

For purposes of this subsection, “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 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.

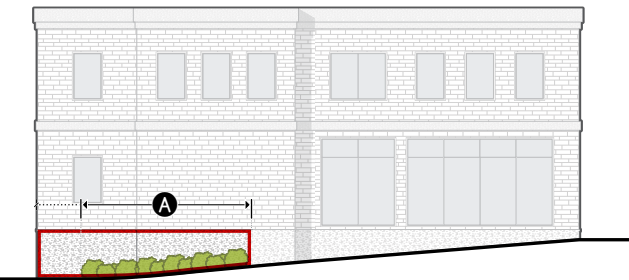


b. Blank Foundation Wall Treatments

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

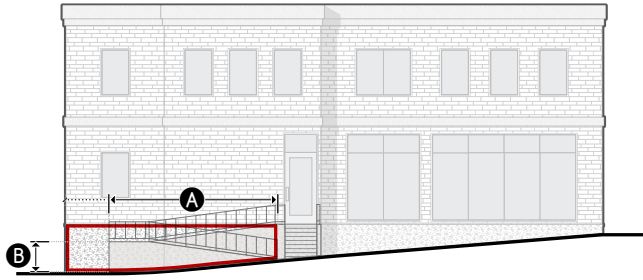
Screening plants located on a foundation wall with no window or door openings and the public realm.



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

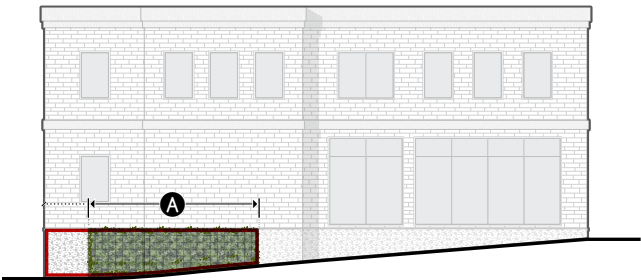
Stairs or ramps providing pedestrian access to a street-facing entrance located between a foundation wall with no window or door openings and the public realm.



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

Living Wall

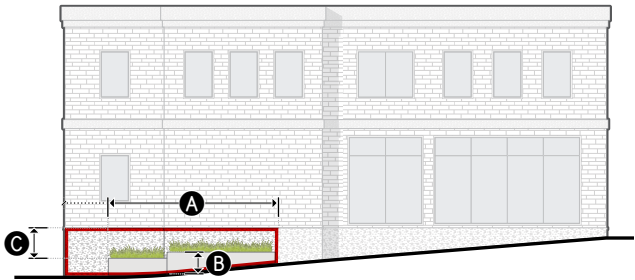
A structure permanently attached to a foundation wall with no window or door openings that supports climbing plants.



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

d. Plant Type

See 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 *Section 3005.1*.

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

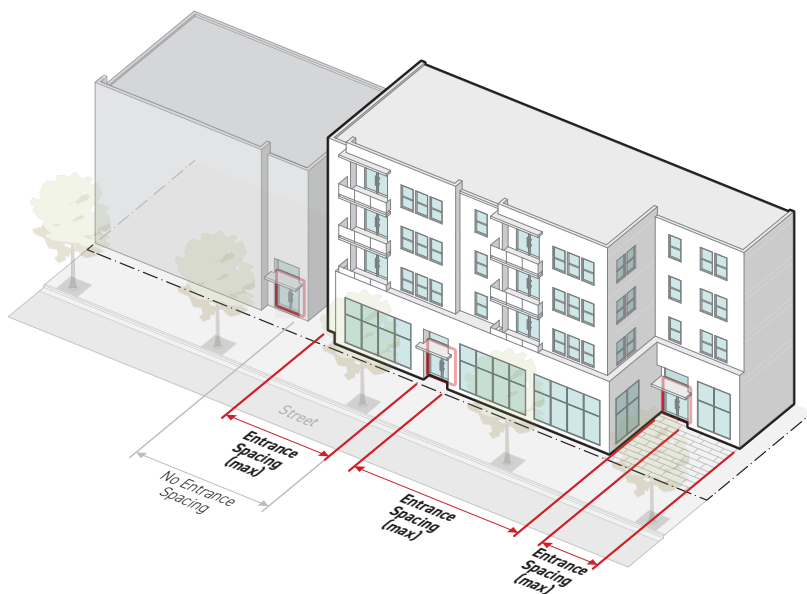
To provide visual interest along the public realm, orient buildings to the public realm and promote greater use and activation of the public sidewalk by limiting distance without physical connections between the public realm and the interior of a building.

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.

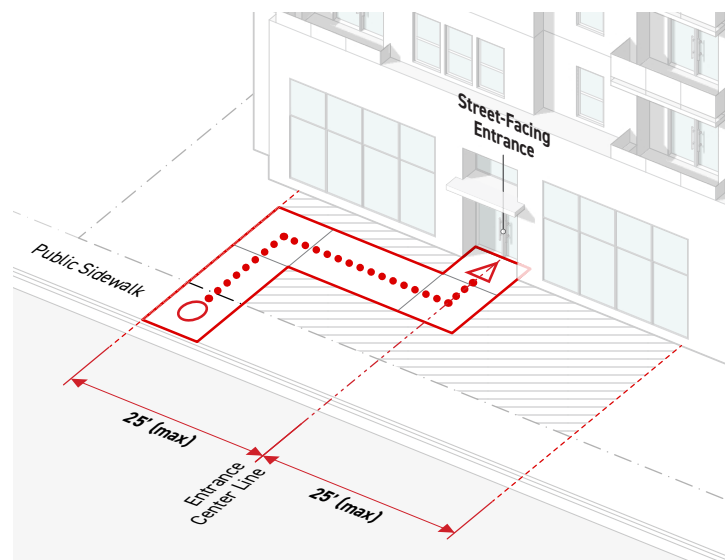


- f. A required street-facing entrance must meet the following.
 - i. Be located on a ground story facade.
 - ii. Provide both ingress and egress pedestrian access to the ground story of the building.
 - iii. Must access an occupiable space.
 - iv. Remain operable at all times. Access may be controlled 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.

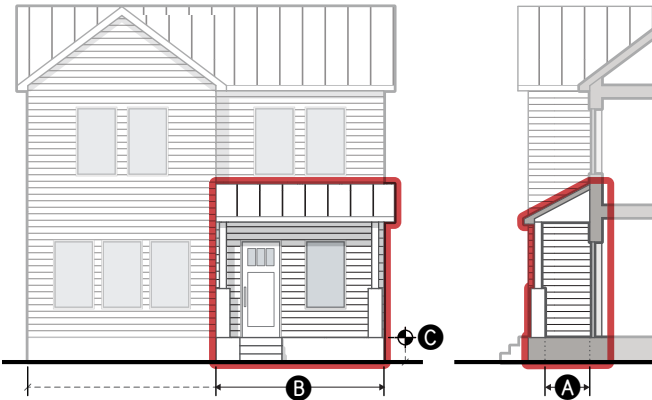


- iii. An entrance directly accessed from an entry features counts as a street-facing entrance, regardless if it faces the street.

b. Entry Feature Options

Porch

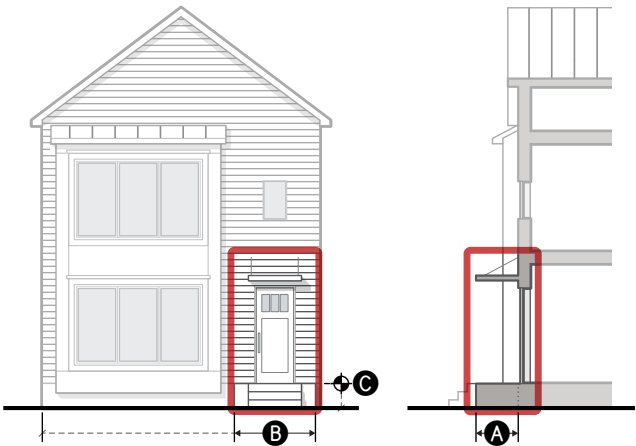
A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.



DIMENSIONAL STANDARDS	
A Depth (min)	6'
B Width (min % of building width)	30%
Roofed	Required
C 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	
A Depth (min)	3'
B Width (min)	4'
Covered entrance	Required
C Finished floor elevation (min/max)	2'/5.5'
Fully enclosed	Not allowed

Forecourt

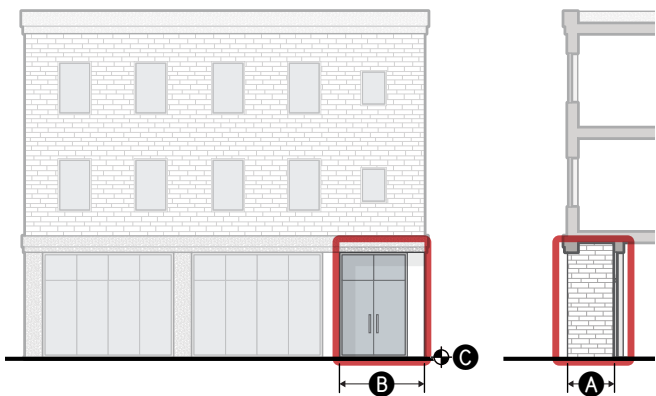
A yard screened with a short wall, fence or hedge that provides significant privacy for tenants located on the ground story, near finished grade.



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

Recessed Entry

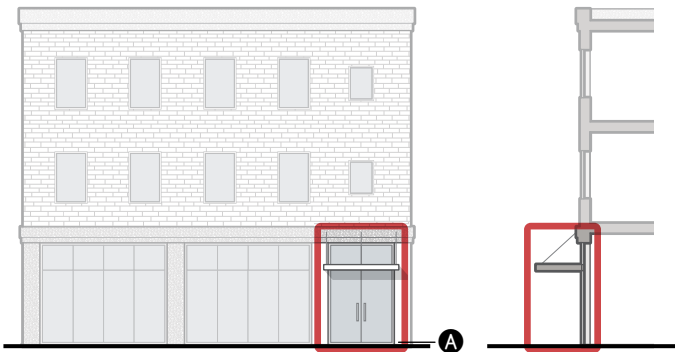
A space set behind the primary facade plane providing sheltered access to a street-facing entrance.



DIMENSIONAL STANDARDS	
A Depth (min)	3'
B Width (min)	5'
Covered entrance	Required
C 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
A 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

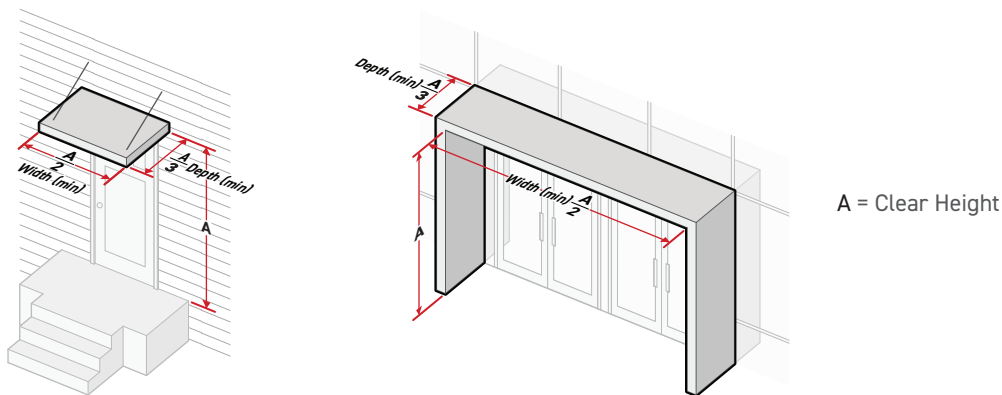
See *Section 3006.1, Defined Terms*.

iv. Fully Enclosed

See *Section 3006.1, 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 *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 *Section 3005.1*.

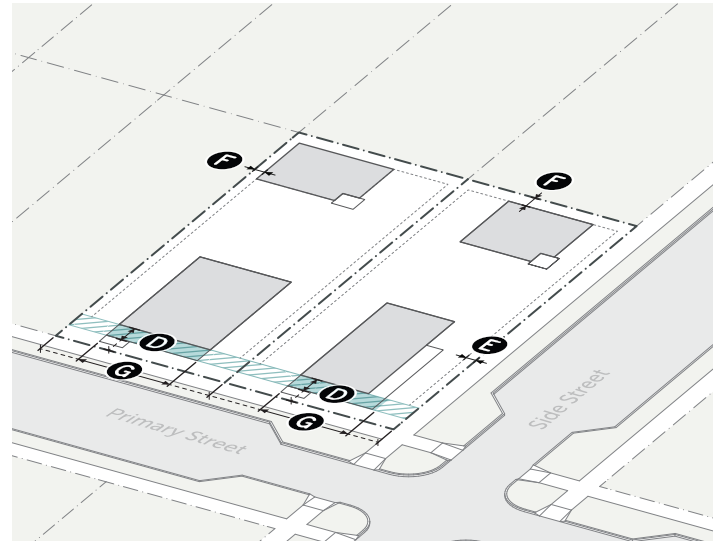
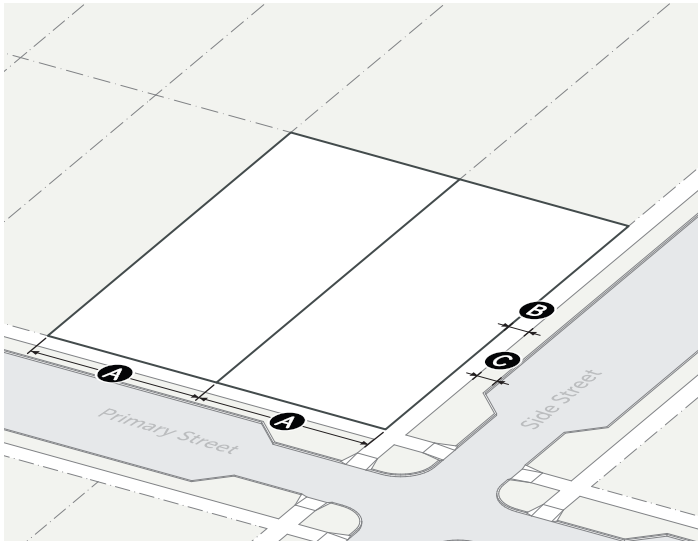
Section 3002.3. House-Scale



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

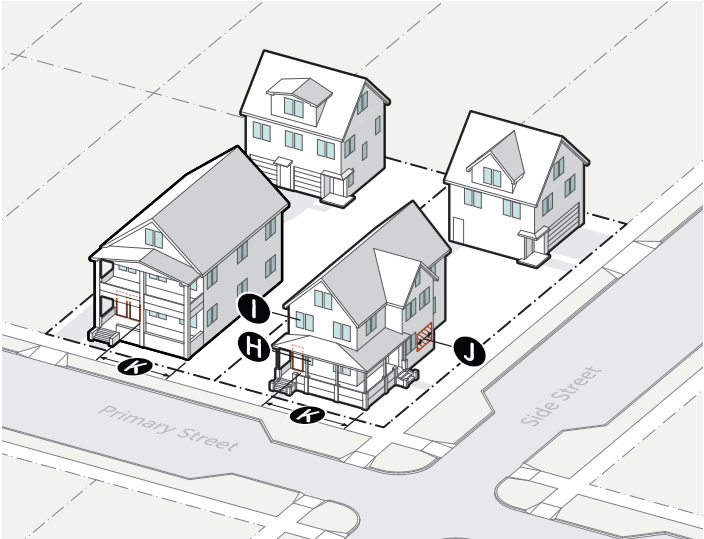
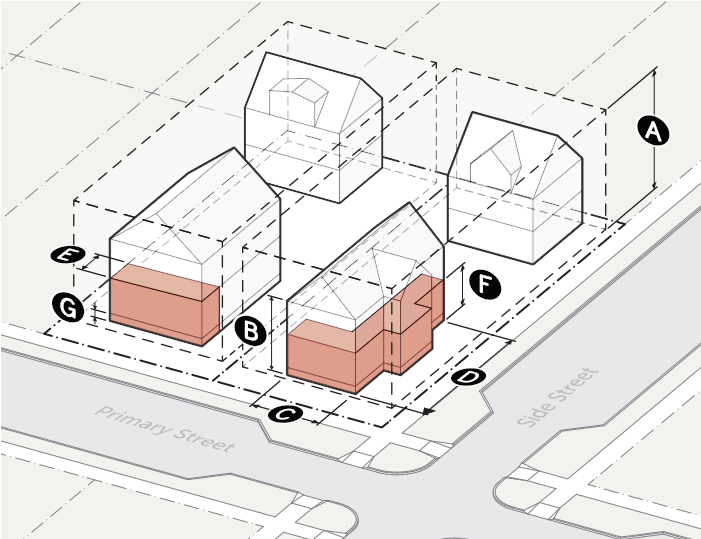
2.3.2. **H3** HOUSE 3A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	20'
2. Dwelling Units	2.2.3
Max per site	3
3. Amenity	2.2.4
Outdoor amenity space (min)	n/a
4. Walls & Fences	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'
5. Streetscape	2.2.6
B Pedestrian zone (min)	Match context
C Furniture zone (min)	Match context
Planting strip type	Tree lawn
Trees in planting strip	Required (2.2.6(F))

6. Setbacks	2.2.7
D Primary street boundary line (min/max)	Established setback range or 10'/20'
E Side street boundary line (min)	3'
F Rear/side boundary line (min)	
Up to 15' in height	1.5'
15' or more in height	3'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line	n/a
8. Street Build-Out	2.2.9
G Primary street (min)	50%
Side street (min)	n/a
9. Parking Location	2.2.10
Front yard	Not allowed
Side street yard	Allowed
Side yard	Allowed
Rear yard	Allowed

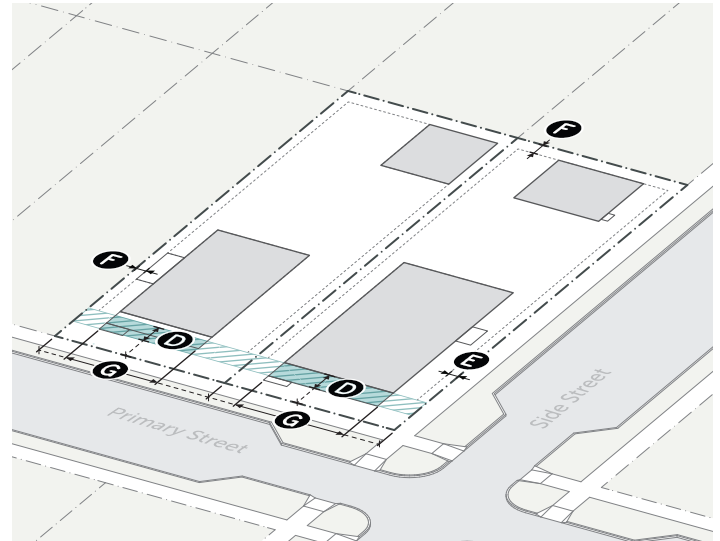
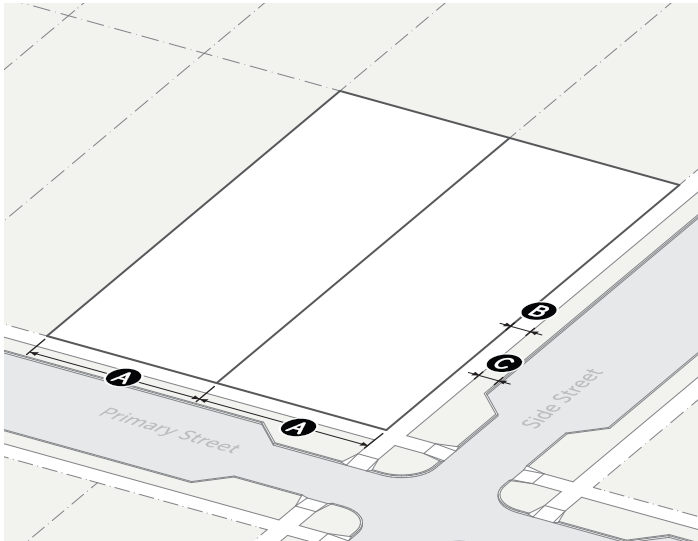
H3

B. BUILDING



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

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

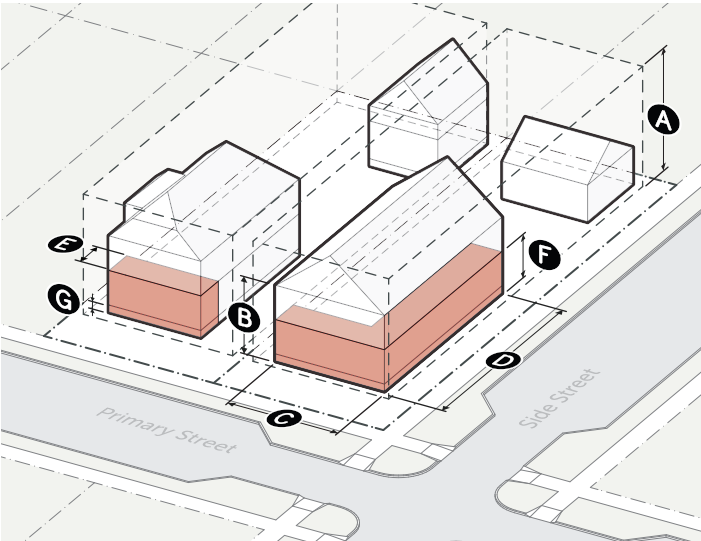
2.3.3. **H4** HOUSE 4A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	20'
2. Dwelling Units	2.2.3
Max per site	4
3. Amenity	2.2.4
Outdoor amenity space (min)	n/a
4. Walls & Fences	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'
5. Streetscape	2.2.6
B Pedestrian zone (min)	Match context
C Furniture zone (min)	Match context
Planting strip type	Tree lawn
Trees in planting strip	Required (2.2.6(F))

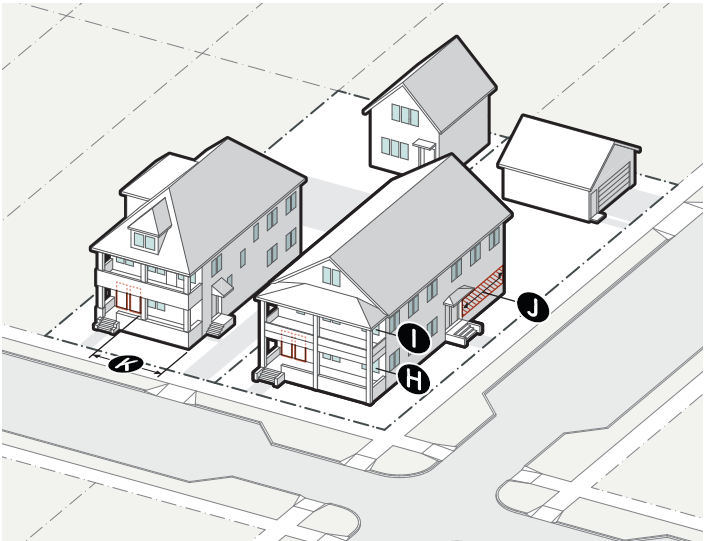
6. Setbacks	2.2.7
D Primary street boundary line (min/max)	Established setback range or 10'/20'
E Side street boundary line (min)	3'
F Rear/side boundary line (min)	
Up to 15' in height	1.5'
15' or more in height	3'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line	n/a
8. Street Build-Out	2.2.9
G Primary street (min)	50%
Side street (min)	n/a
9. Parking Location	2.2.10
Front yard	Not allowed
Side street yard	Allowed
Side yard	Allowed
Rear yard	Allowed

H4

B. BUILDING



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



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

2.3.4. Summary of Allowed Uses

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

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

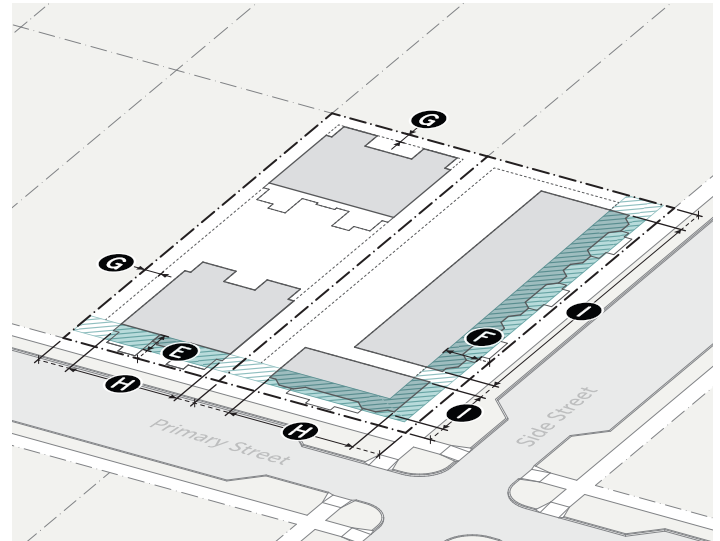
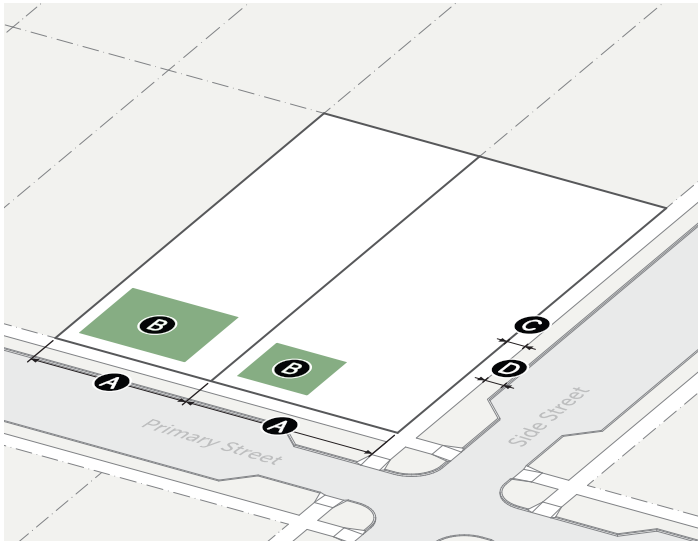
Section 3002.4. **Neighborhood-Scale**



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

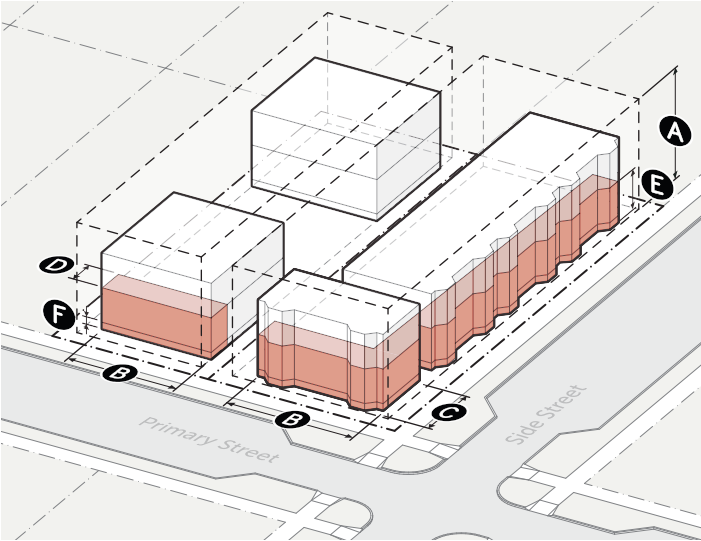
2.4.2. **N2.5** NEIGHBORHOOD 2.5A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	Match context
D Furniture zone (min)	Match context
Planting strip type	Tree lawn
Trees in planting strip	Required (2.2.6(F))

6. Setbacks	2.2.7
E Primary street boundary line (min/max)	5'/15'
F Side street boundary line (min/max)	3'/15'
G Rear/side boundary line (min)	
Up to 15' in height	1.5'
15' or more in height	3'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line	n/a
8. Street Build-Out	2.2.9
H Primary street (min)	65%
I Side street (min)	40%
9. Parking Location	2.2.10
Front/side street yard	Not allowed
Side yard	Allowed
Rear yard	Allowed

N2.5

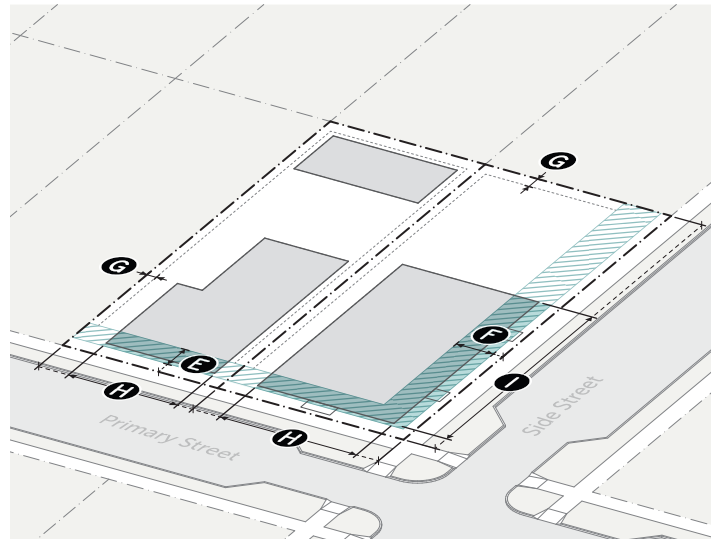
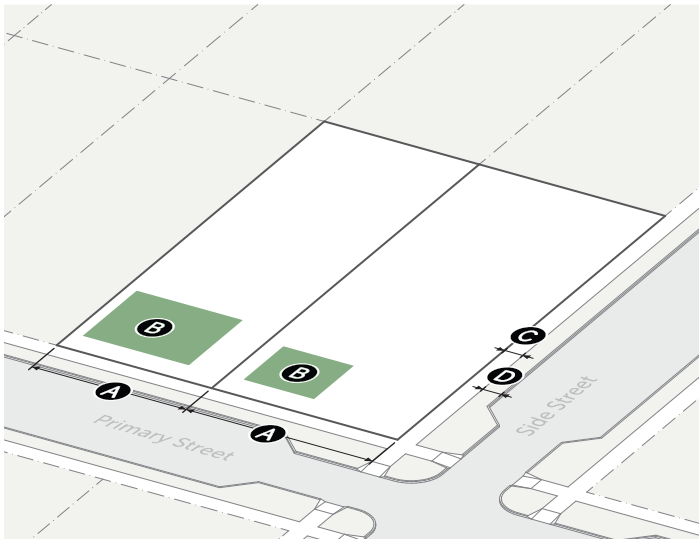
B. BUILDING



1. Massing	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	2.2.12
E Ground story height (min)	10'
F Ground floor elevation (min/max)	2'/5.5'



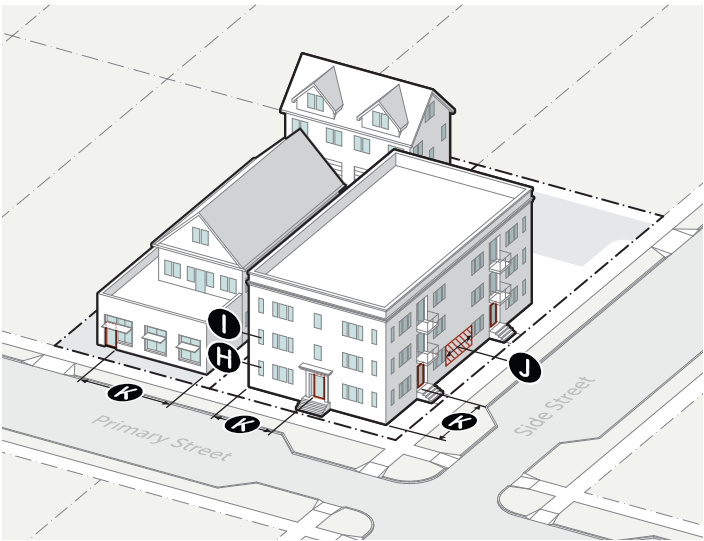
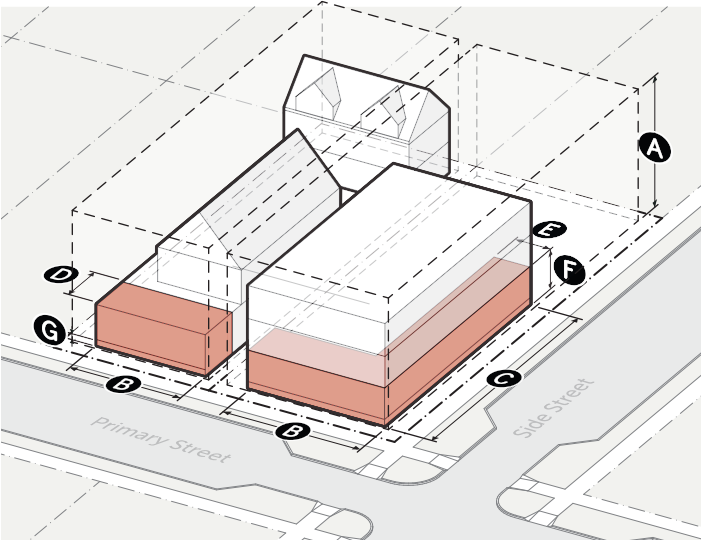
	Primary St.	Side St.
3. Windows	2.2.13	
G Ground story (min)	35%	30%
H Upper story (min)	15%	15%
I Blank wall width (max)	15'	25'
4. Doors	2.2.14	
J Street-facing entry spacing (max)	30'	50'

2.4.3. **NX3** NEIGHBORHOOD FLEX 3A. **SITE**

1. Size	2.2.2	6. Setbacks	2.2.7
A Width (min)		E Primary street boundary line (min/max)	5'/15'
Front access	35'	F Side street boundary line (min/max)	3'/15'
Side/rear access	15'	G Rear/side boundary line (min)	
2. Dwelling Units	2.2.3	Up to 15' in height	1.5'
Max per site	Unlimited	15' or more in height	3'
3. Amenity	2.2.4	Alley boundary line	3' or 20' min
B Outdoor amenity space (min)	10%	7. Transitions	2.2.8
4. Walls & Fences	2.2.5	Setback from transition boundary line	10'
Front yard height (max)	Type C2 4'	8. Street Build-Out	2.2.9
Side street yard height (max)		H Primary street (min)	65%
Within 3' of boundary line	Type C2 4'	I Side street (min)	40%
More than 3' from boundary line	Type C3 6'	9. Parking Location	2.2.10
Side/rear yard height (max)	Type C5 6'	Front/side street yard	Not allowed
5. Streetscape	2.2.6	Side yard	Not allowed
C Pedestrian zone (min)	Match context	Rear yard	Allowed
D Furniture zone (min)	Match context		
Planting strip type	Tree lawn/ Raised curb planter		
Trees in planting strip	Required (2.2.6(F))		

NX3

B. BUILDING



1. Massing	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	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	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	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.
1. Residential				
Household Living	P	P		
Group Living	P*	P	Residents: 10 max	3.2.3.B
Social Services	--	C		
2. Open				
Parks & Open Space	P	P		
Urban Agriculture	P*	P*		3.2.3.C
3. Public				
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	--	--		
4. Commercial				
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	--	--		
5. Industrial				
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

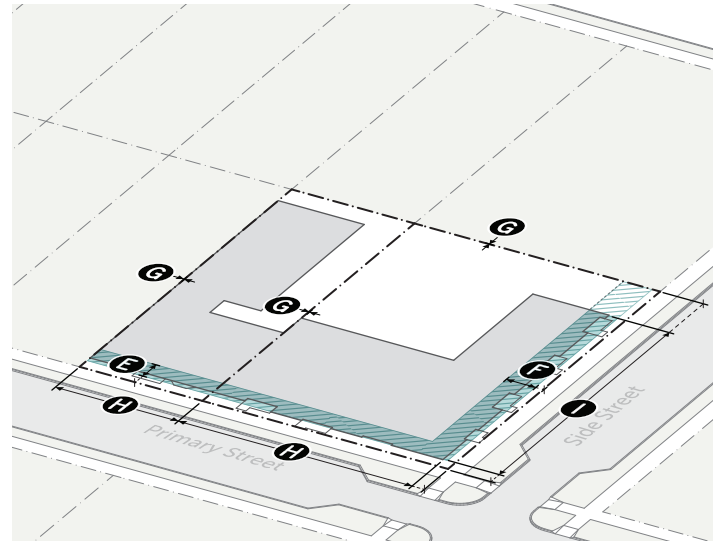
Section 3002.5. Community-Scale



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

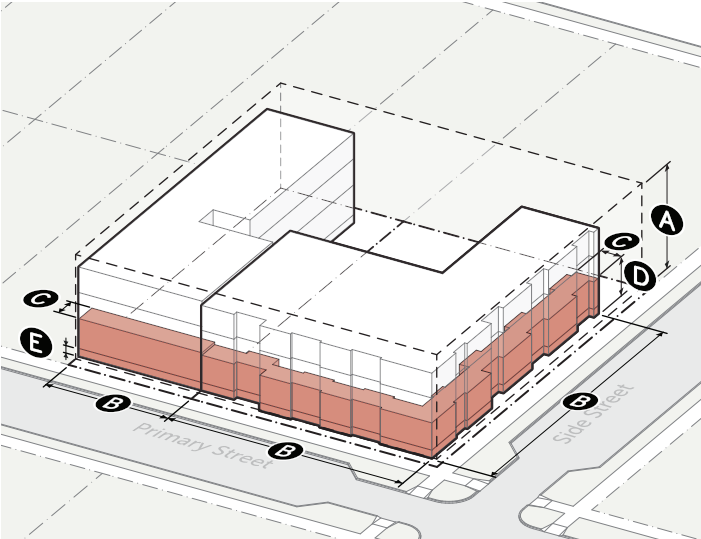
2.5.2. **C3** COMMUNITY 3A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

C3

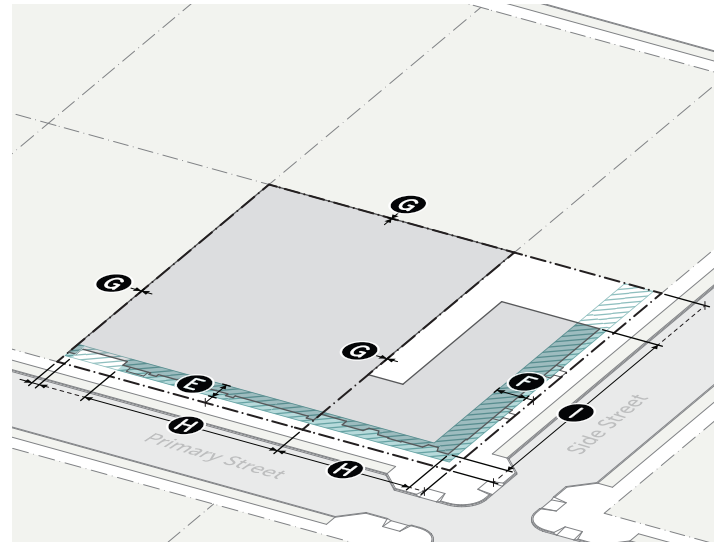
B. MASSING



1. Building	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	2.2.12
D Ground story height (min)	10'
E Ground floor elevation (min/max)	2'/5.5'



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

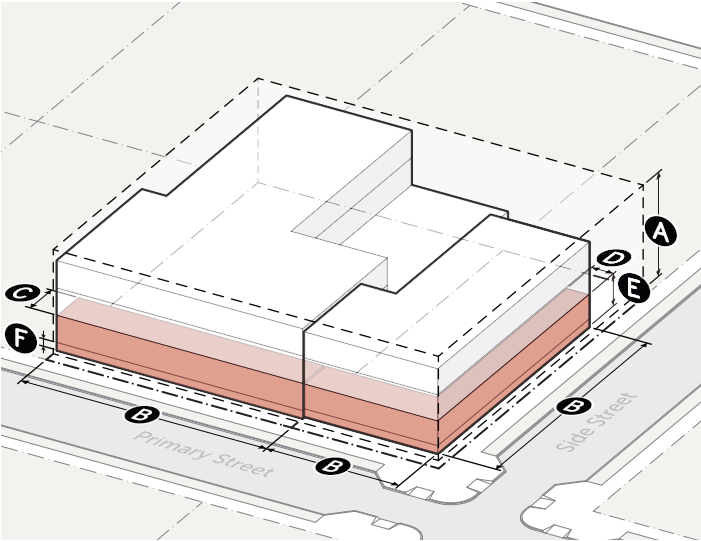
2.5.3. **CX3** COMMUNITY FLEX 3A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

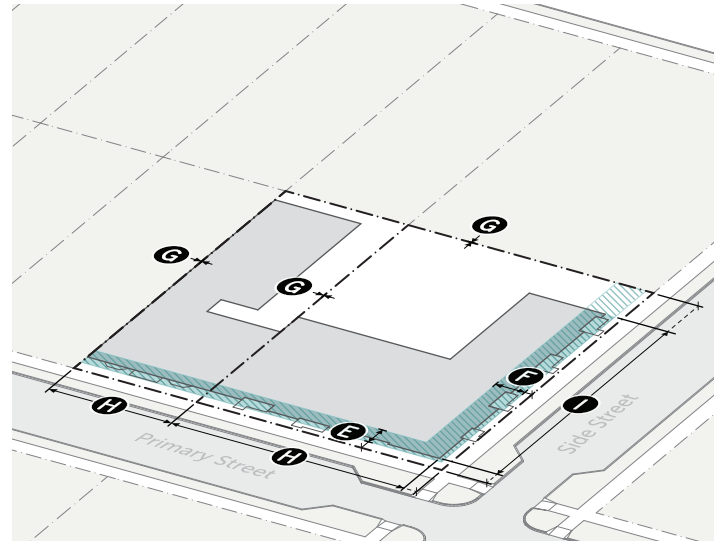
CX3

B. MASSING



1. Building	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	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	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	2.2.14	
J Street-facing entry spacing (max)	40'	60'

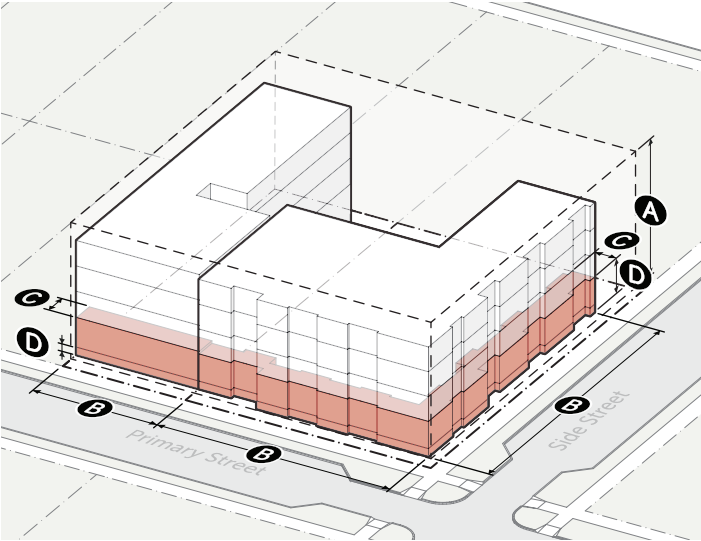
2.5.4. **C4** COMMUNITY 4A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

C4

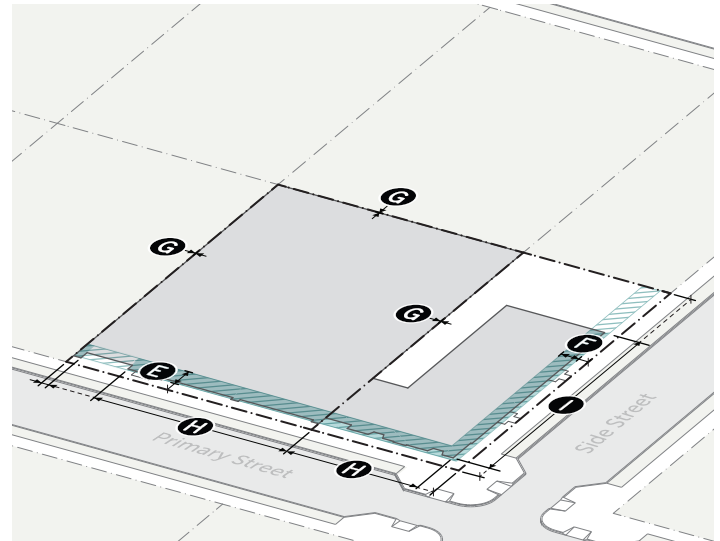
B. MASSING



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



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

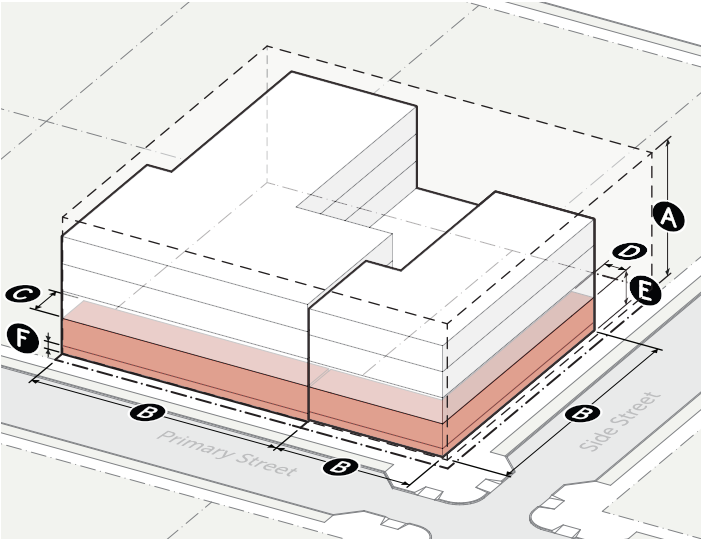
2.5.5. **CX4** COMMUNITY FLEX 4A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

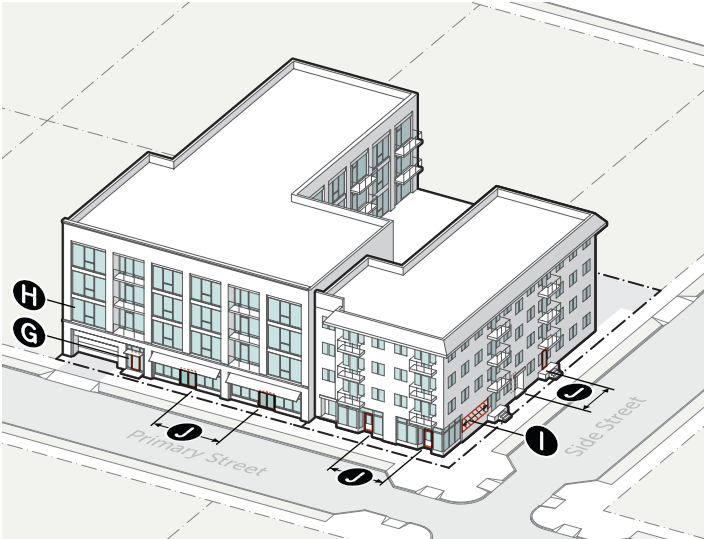
6. Setbacks	2.2.7
E Primary street boundary line (min/max)	5'/15'
F Side street boundary line (min/max)	3'/15'
G Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	75%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

CX4

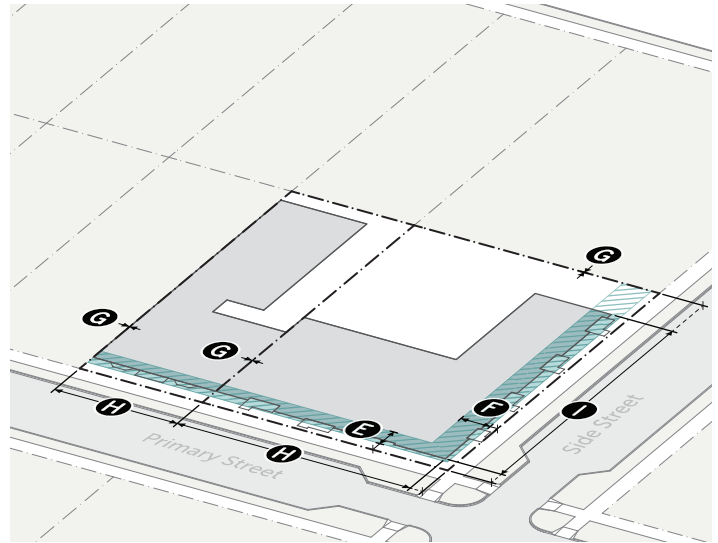
B. MASSING



1. Building	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	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	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	2.2.14	
J Street-facing entry spacing (max)	40'	60'

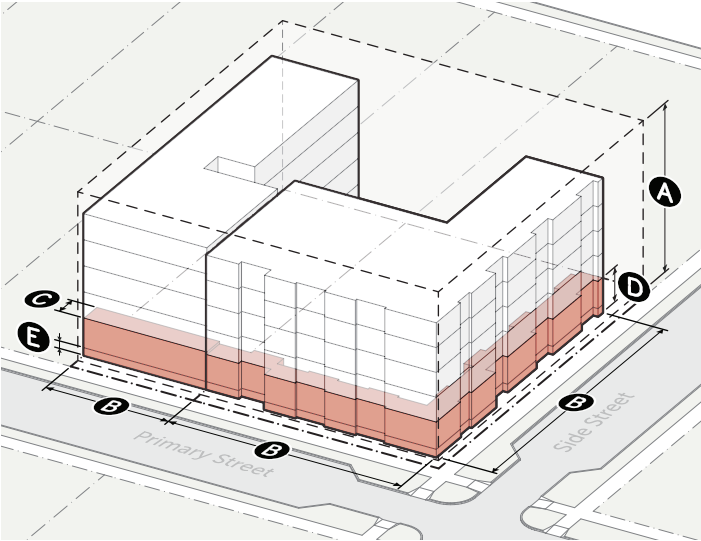
2.5.6. **C5** COMMUNITY 5A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

C5

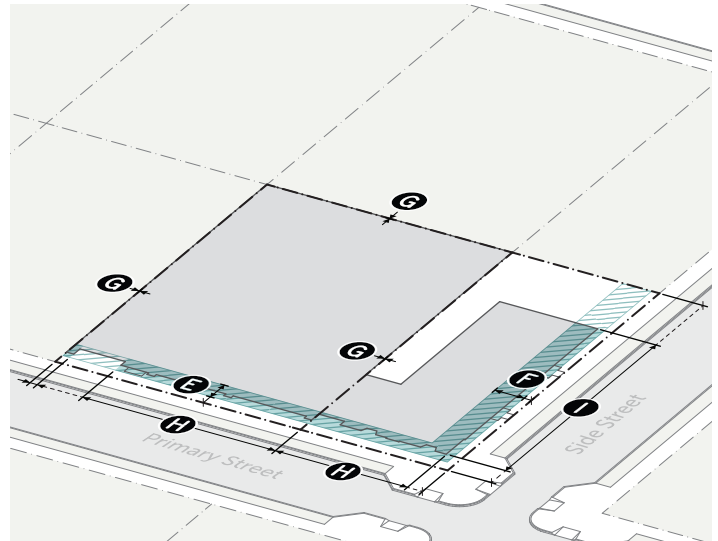
B. MASSING



1. Building	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	2.2.12
D Ground story height (min)	10'
E Ground floor elevation (min/max)	2'/5.5'



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

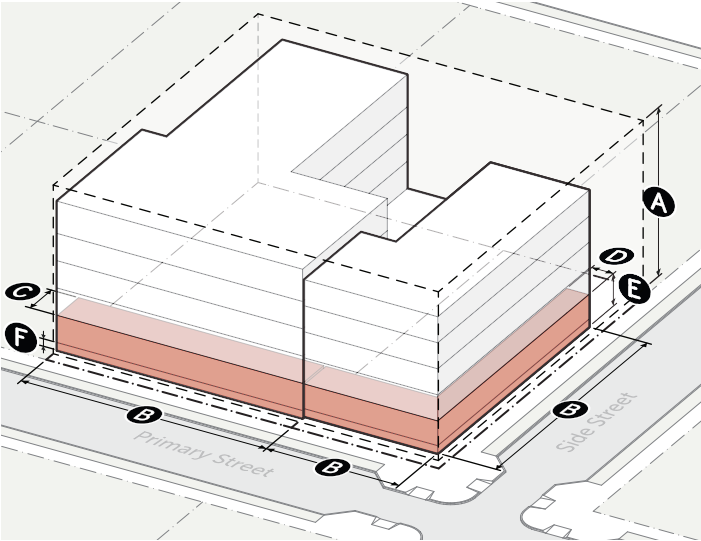
2.5.7. **CX5** COMMUNITY FLEX 5A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

CX5

B. MASSING



1. Building	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	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	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	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.
1. Residential				
Household Living	P	P		
Group Living	P*	P	Residents: 10 max	3.2.3.B
Social Services	--	C		
2. Open				
Parks & Open Space	P	P		
Urban Agriculture	P*	P*		3.2.3.C
3. Public				
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	--	--		
4. Commercial				
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	--	--		
5. Industrial				
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

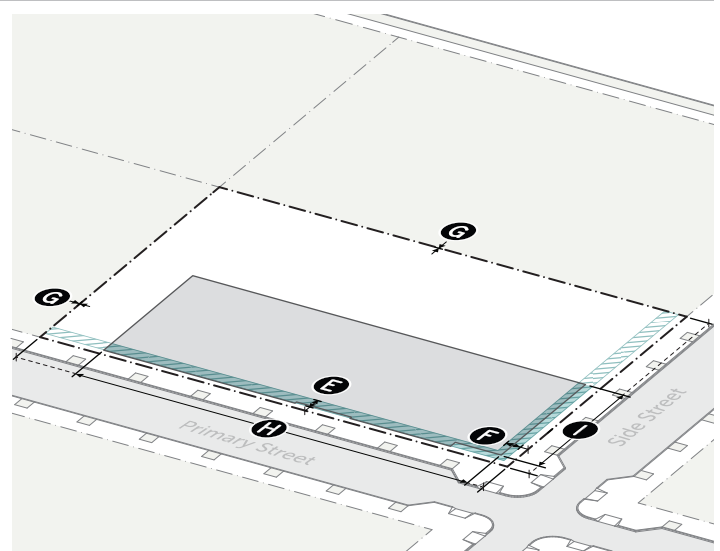
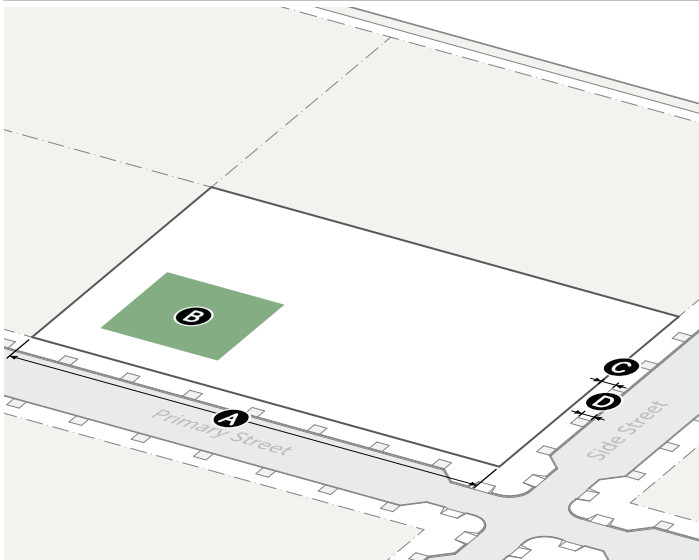
Section 3002.6. Urban Flex



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

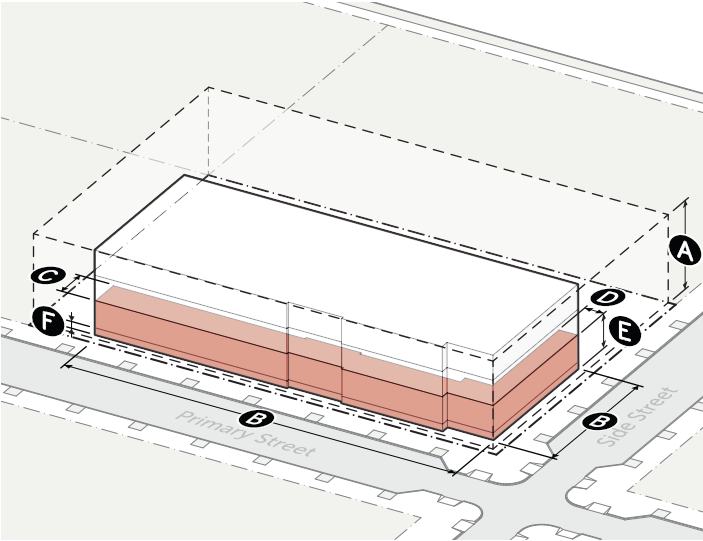
2.6.2. **UX3** URBAN FLEX 3A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

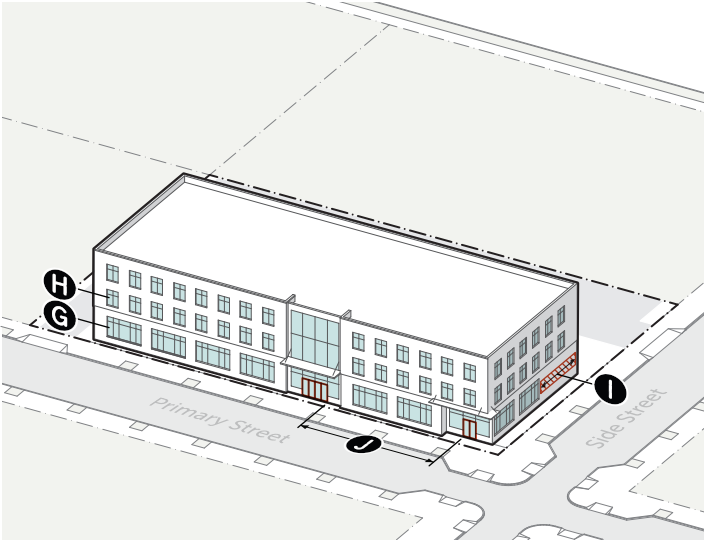
6. Setbacks	2.2.7
E Primary street boundary line (min/max)	3'/10'
F Side street boundary line (min/max)	3'/10'
G Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	75%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

UX3

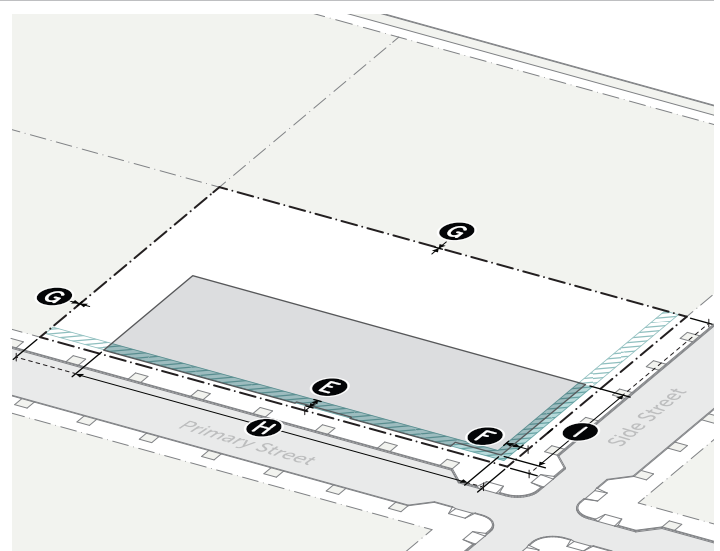
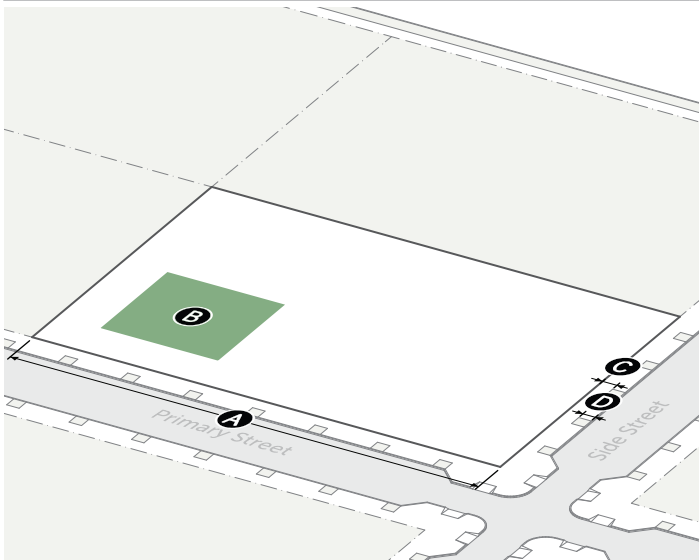
B. MASSING



1. Building	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	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	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	2.2.14	
J Street-facing entry spacing (max)	75'	100'

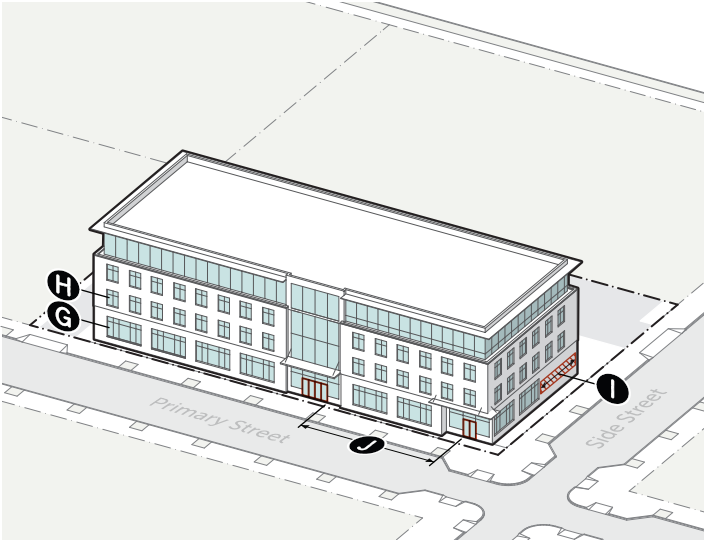
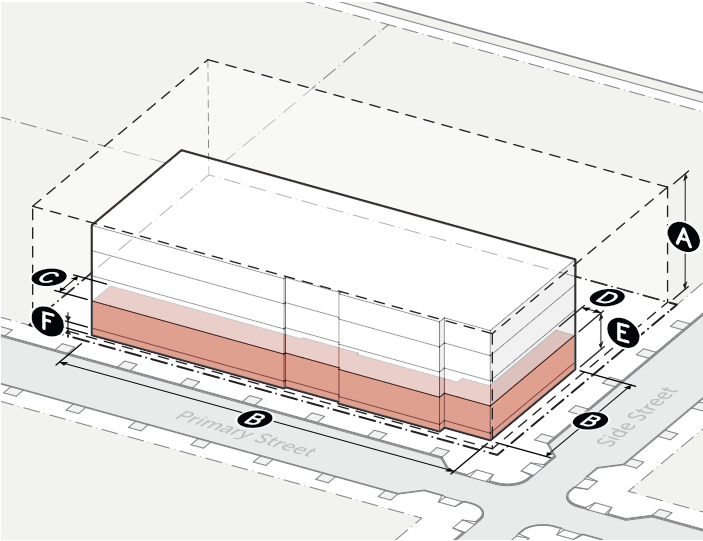
2.6.3. **UX4** URBAN FLEX 4A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

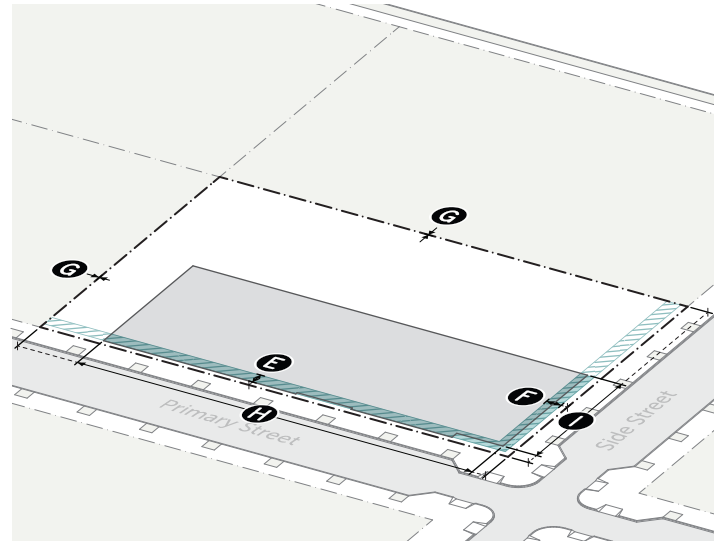
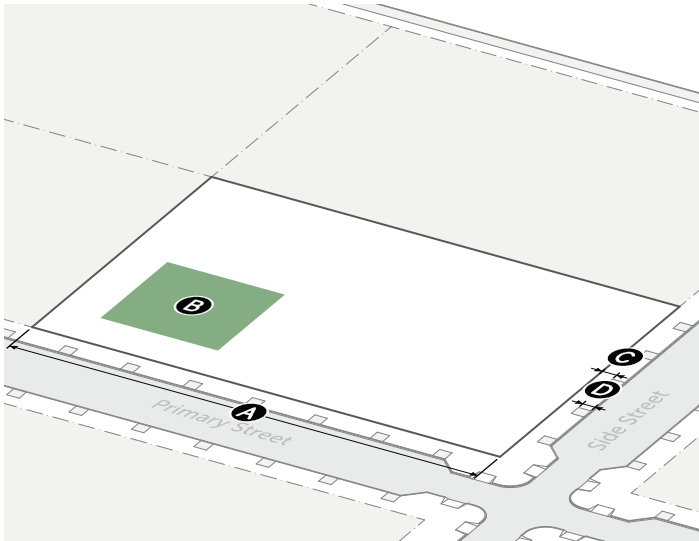
UX4

B. MASSING



1. Building	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	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	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	2.2.14	
J Street-facing entry spacing (max)	75'	100'

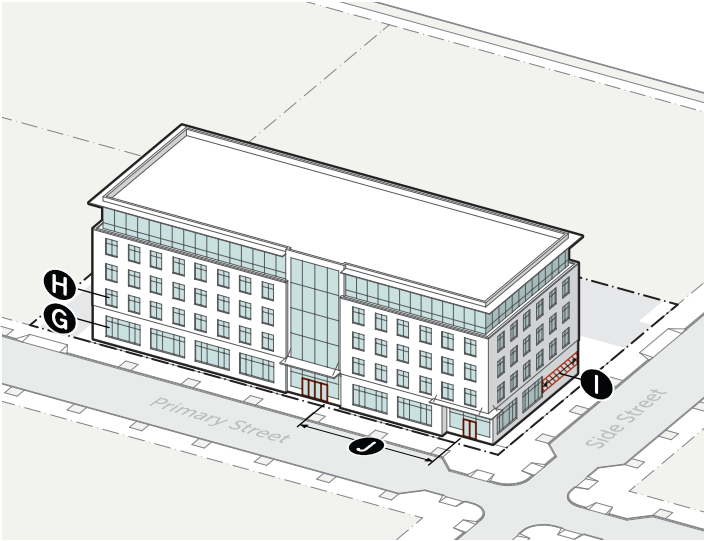
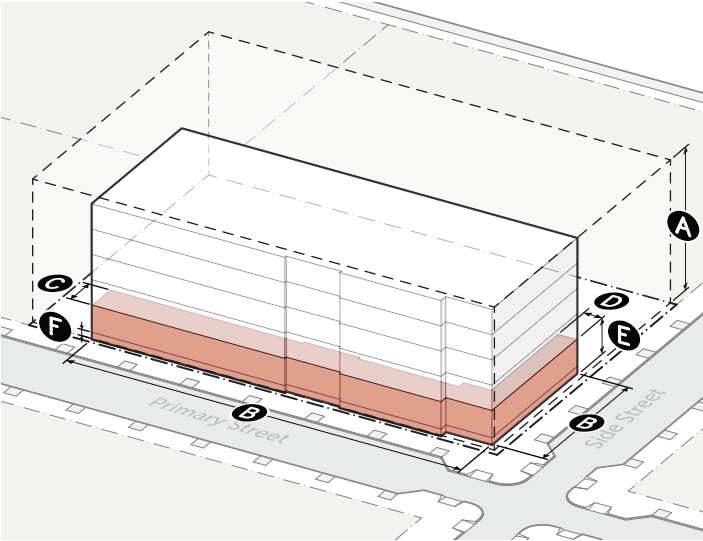
2.6.4. **UX5** URBAN FLEX 5A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	35'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

UX5

B. MASSING



1. Building	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	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'

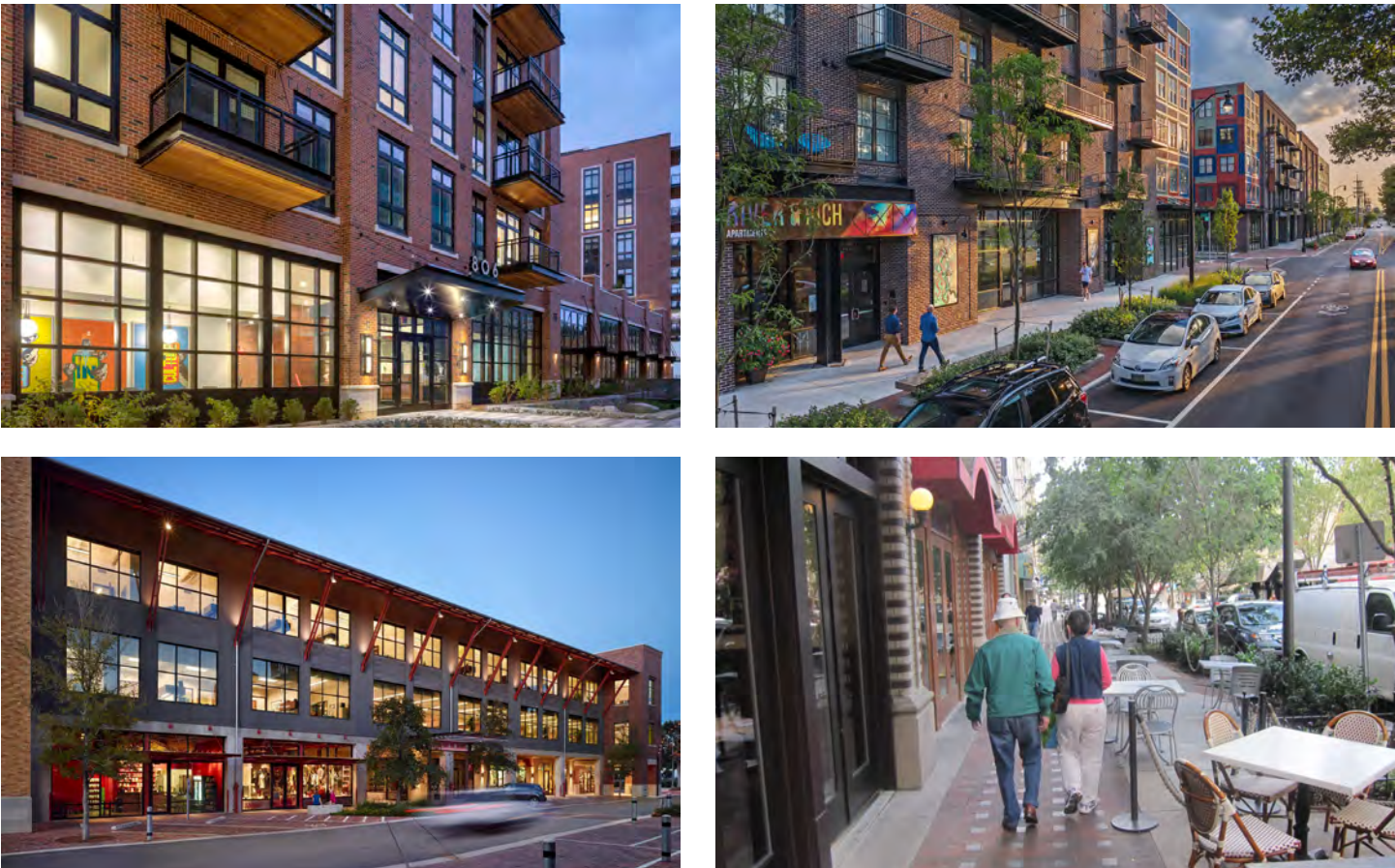
	Primary St.	Side St.
3. Windows	2.2.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	20'	30'
4. Doors	2.2.14	
J Street-facing entry spacing (max)	75'	100'

2.6.5. Summary of Allowed Uses

Summary of Use Standards		Add. Stds.
1. Residential		
Household Living	P	
Group Living	P	
Social Services	C	
2. Open		
Parks & Open Space	P	
Urban Agriculture	P*	3.2.3.C
3. Public		
Community Service	P	
Day Care	P	
Education	P	
Government	P	
Religious Assembly	P	
Transit Station	P	
4. Commercial		
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
5. Industrial		
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

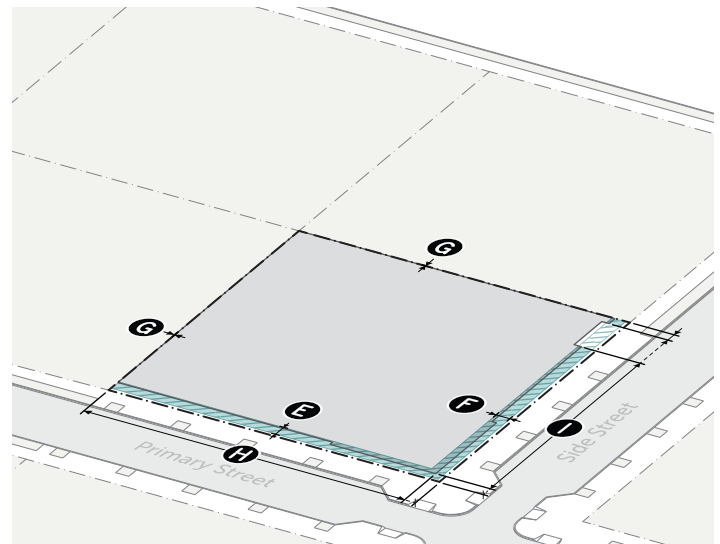
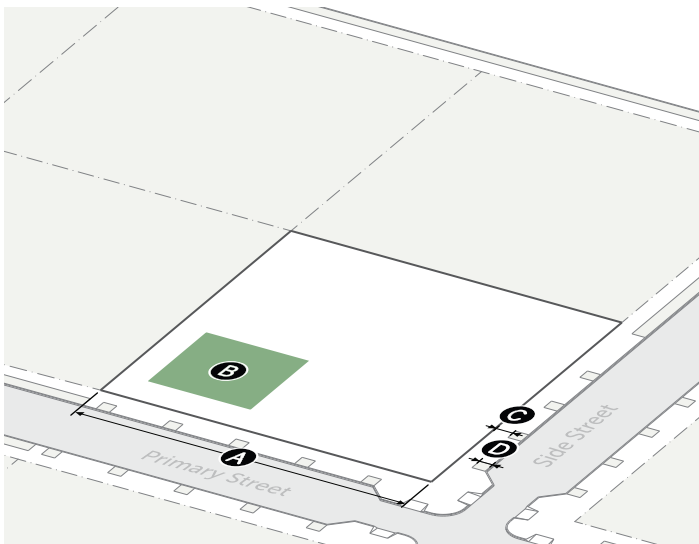
Section 3002.7. Urban Node



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

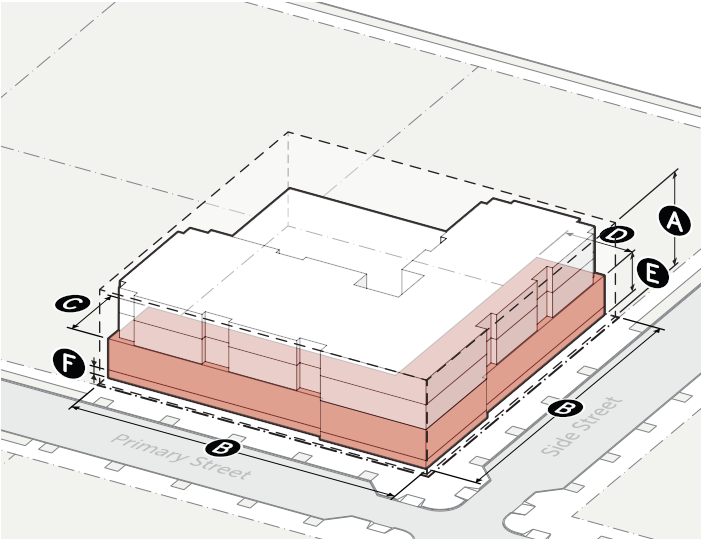
2.7.2. **UN3** URBAN NODE 3A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	8'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

UN3

B. MASSING



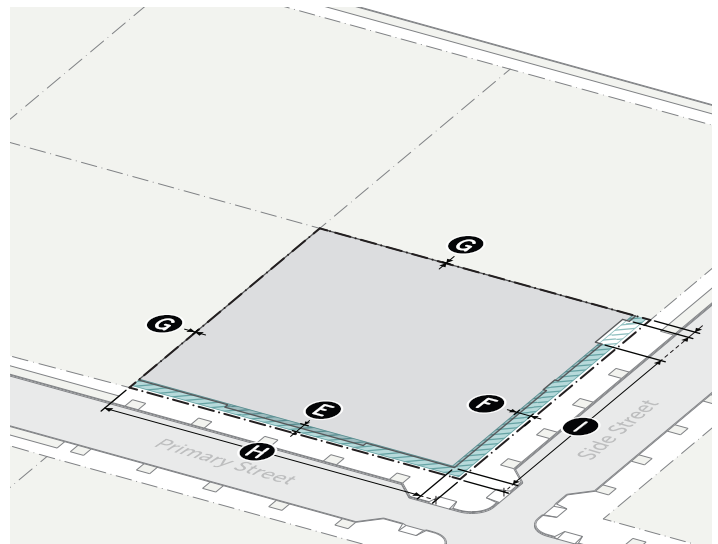
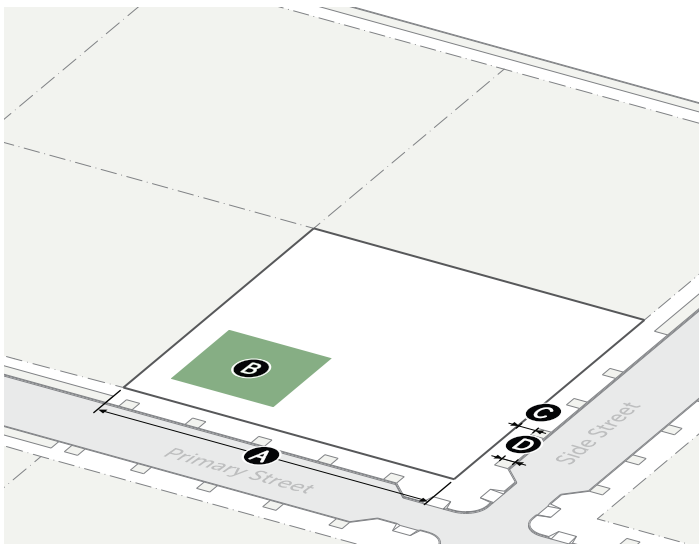
1. Building	2.2.11
A Height (max stories/feet)	3/42'
B Width (max)	175'
Active depth (min)	
C Primary street	30'
D Side street	15'
Dwelling units per building (max)	Unlimited
2. Story Height	2.2.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	-2'/5.5'



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

2.7.3. **UN4** URBAN NODE 4

A. SITE

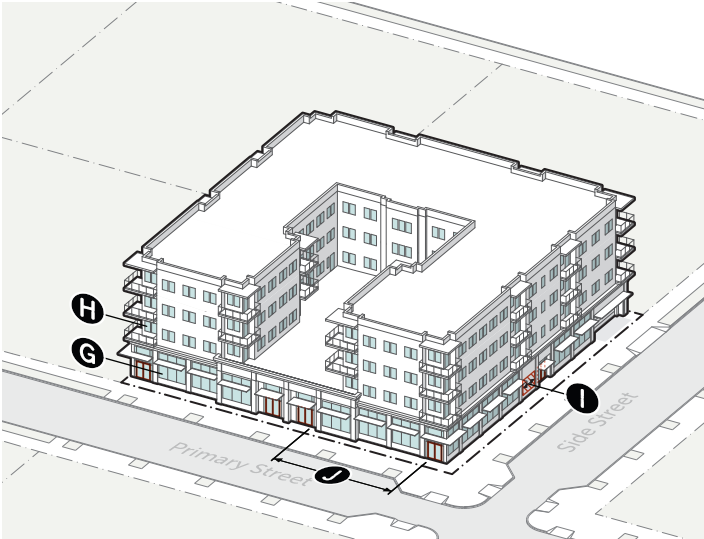
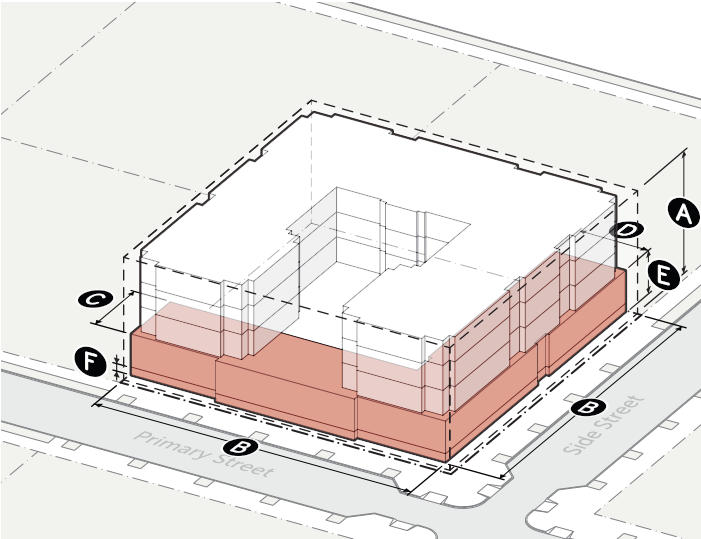


1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	2.2.5
Front yard height (max)	Type C1 0'
Side street yard height (max)	Type C1 0'
Side/rear yard height (max)	Type C6 3'
5. Streetscape	2.2.6
C Pedestrian zone (min)	8'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

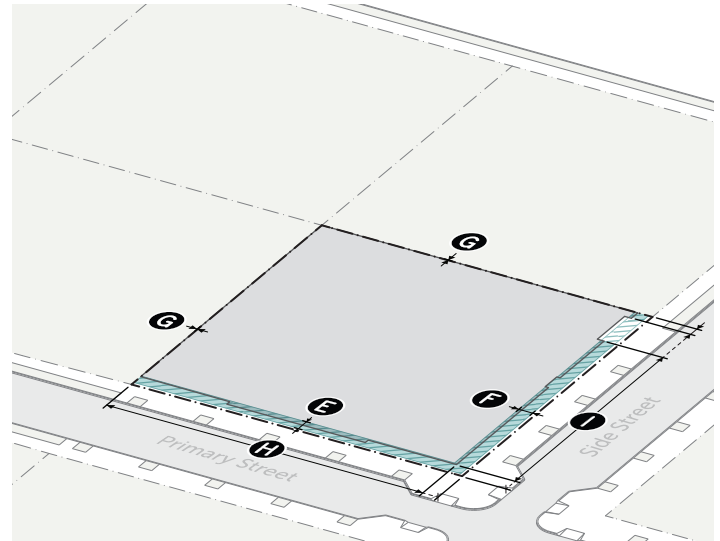
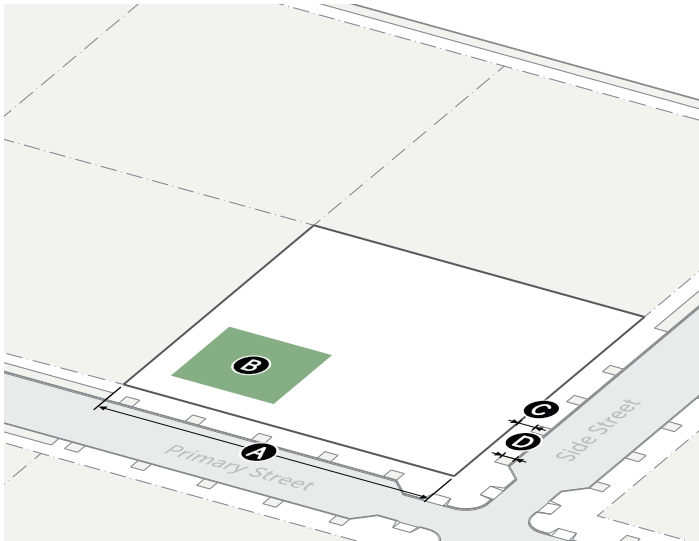
UN4

B. MASSING



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

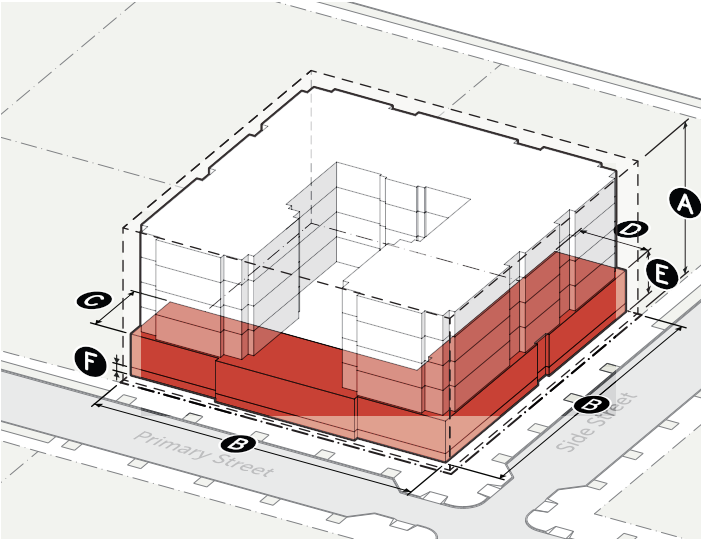
2.7.4. **UN5** URBAN NODE 5A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	8'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

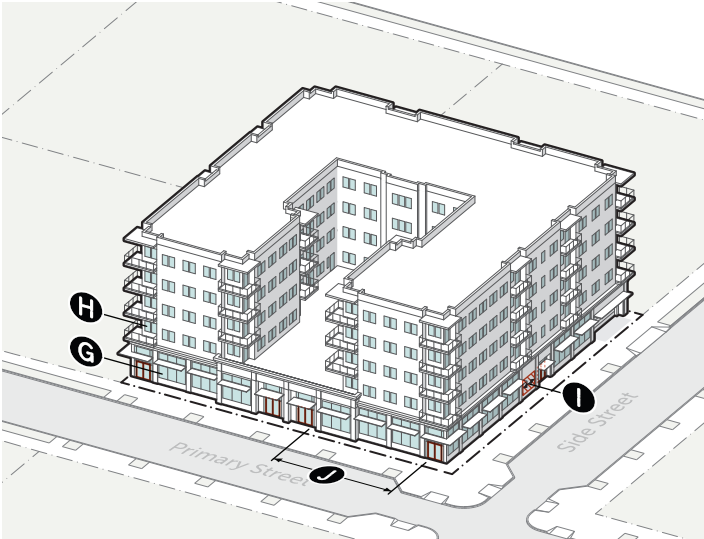
6. Setbacks	2.2.7
E Primary street boundary line (min/max)	2'/10'
F Side street boundary line (min/max)	2'/10'
G Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	85%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

UN5

B. MASSING



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

2.7.5. Summary of Allowed Uses

Summary of Use Standards			Add. Stds.
1. Residential			
Household Living	P*	Location: Upper-stories only	3.2.3.A
Group Living	P		
Social Services	C		
2. Open			
Parks & Open Space	P		
Urban Agriculture	P*		3.2.3.C
3. Public			
Community Service	P		
Day Care	P		
Education	P		
Government	P		
Religious Assembly	P		
Transit Station	P		
4. Commercial			
Adult Entertainment	--		
Animal Care	P*	Location: Indoor only	3.2.3.G
Auto-Related	--		
Eating & Drinking	P		
Indoor Entertainment	P		
Lodging	P		
Medical Hospital	--		
Medical Laboratory	--		
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
5. Industrial			
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			

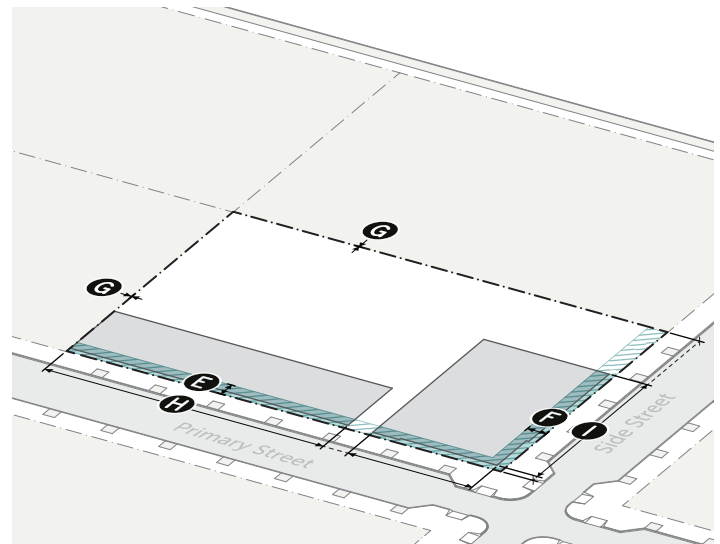
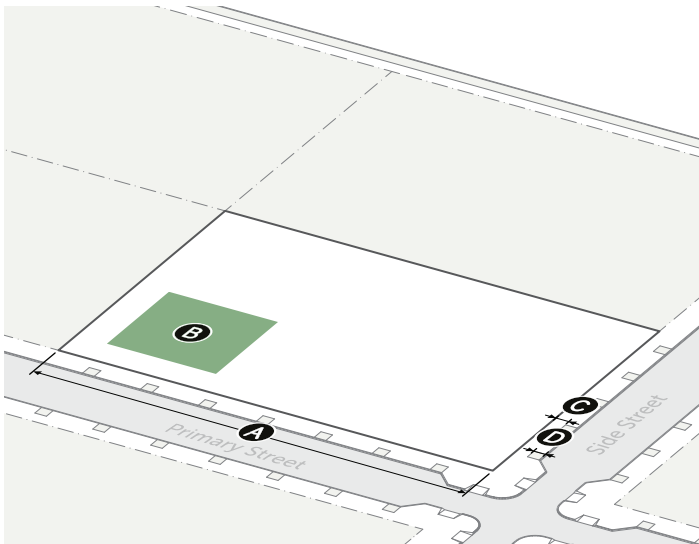
Section 3002.8. **Industrial Flex**



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

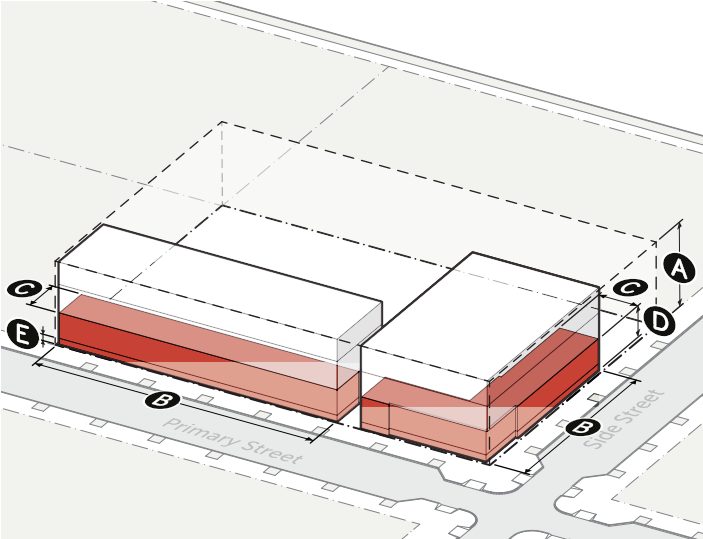
2.8.2. **IX3** INDUSTRIAL FLEX 3A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

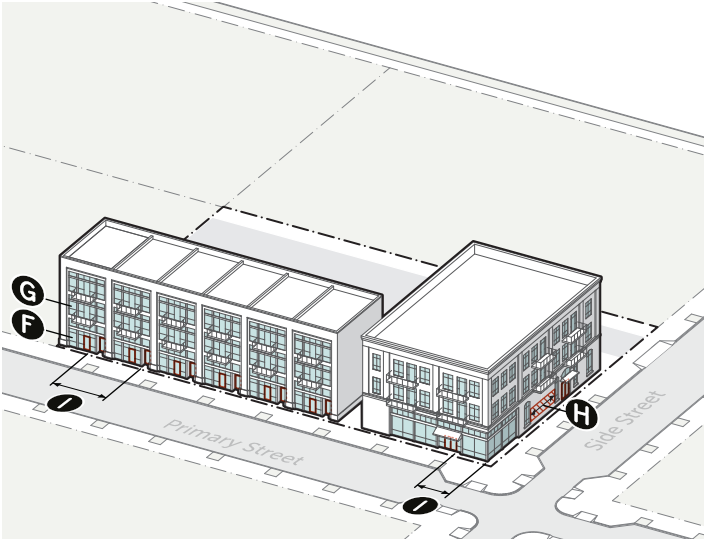
6. Setbacks	2.2.7
E Primary street boundary line (min/max)	0'/10'
F Side street boundary line (min/max)	0'/10'
G Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	75%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

IX3

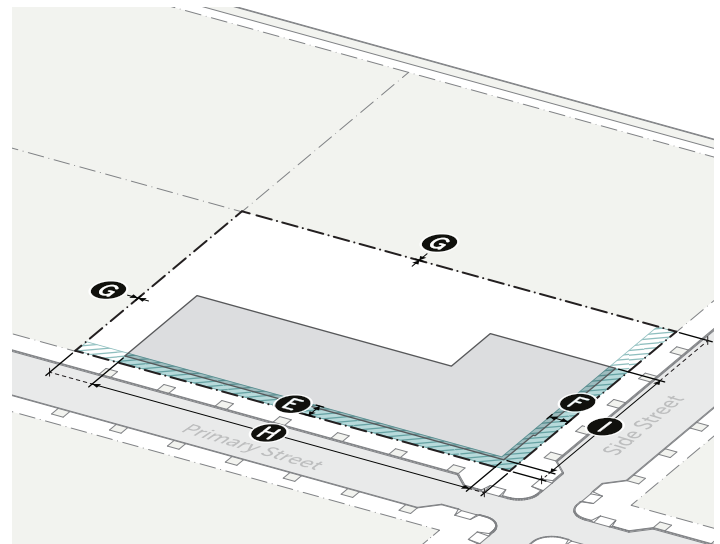
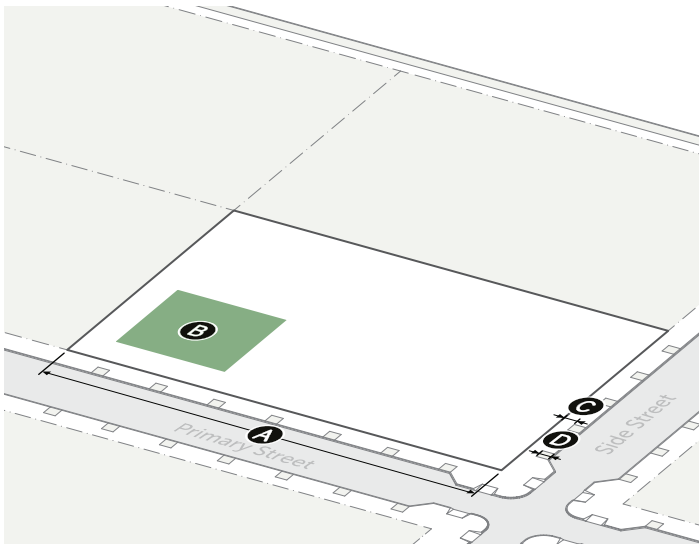
B. MASSING



1. Building	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	2.2.12
D Ground story height (min)	13'
E Ground floor elevation (min/max)	-2'/5.5'



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

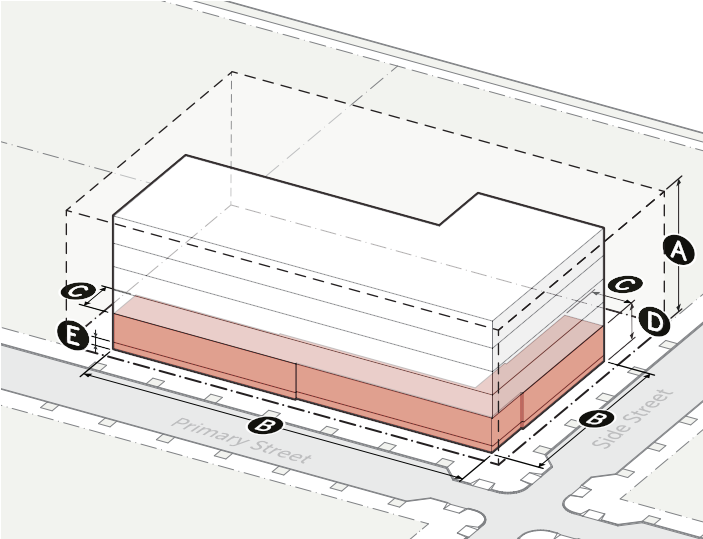
2.8.3. **IX5** INDUSTRIAL FLEX 5A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

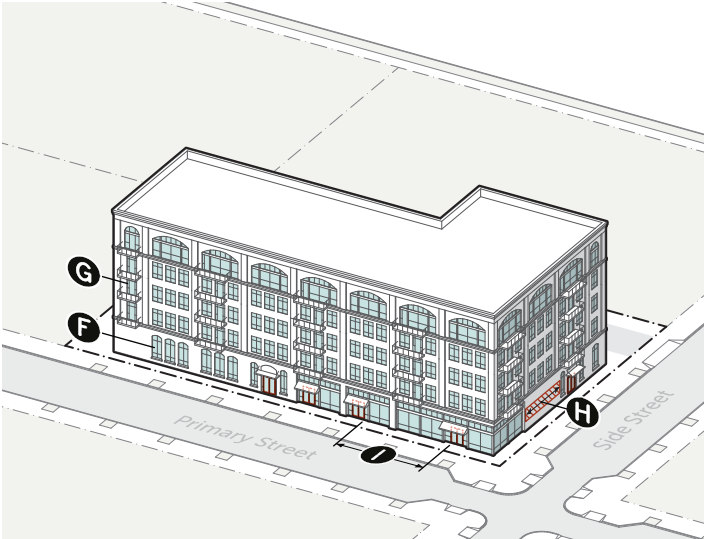
6. Setbacks	2.2.7
E Primary street boundary line (min/max)	0'/10'
F Side street boundary line (min/max)	0'/10'
G Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	75%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

IX5

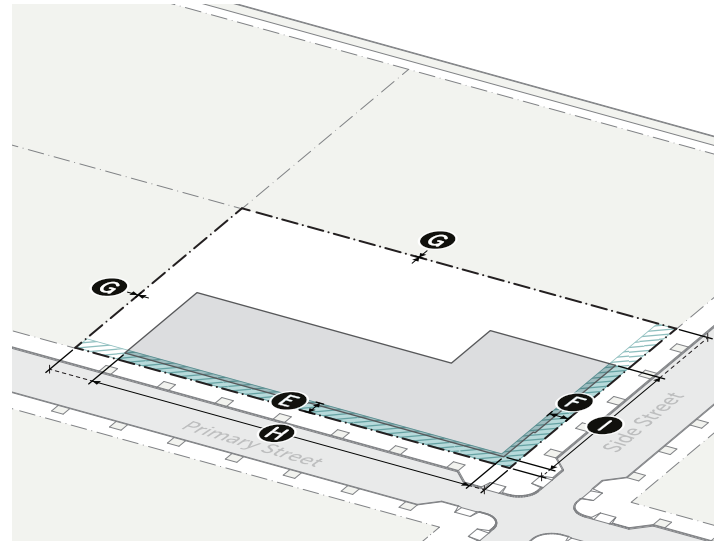
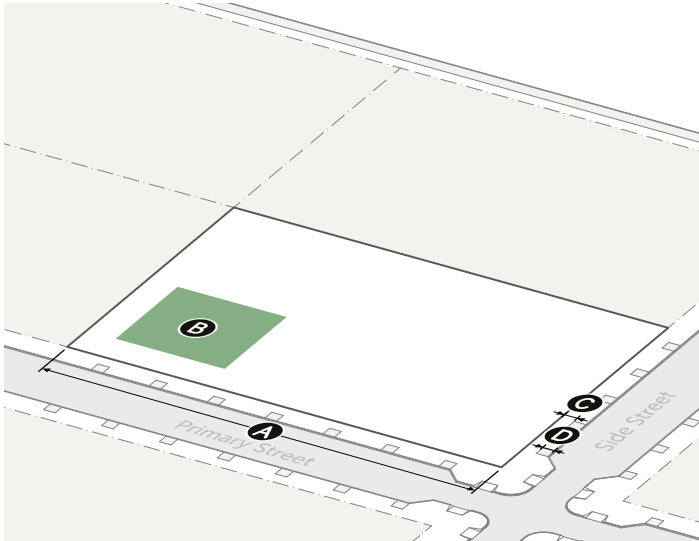
B. MASSING



1. Building	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	2.2.12
D Ground story height (min)	13'
E Ground floor elevation (min/max)	-2'/5.5'



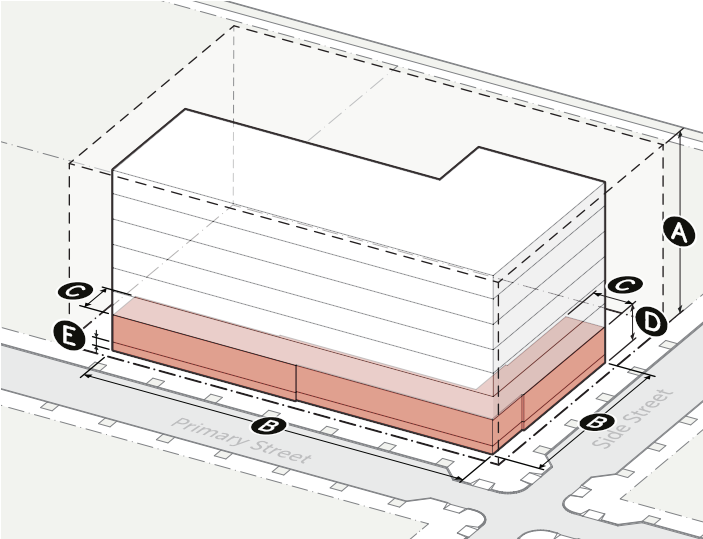
	Primary St.	Side St.
3. Windows	2.2.13	
F Ground story (min)	50%	35%
G Upper story (min)	15%	15%
H Blank wall width (max)	20'	40'
4. Doors	2.2.14	
I Street-facing entry spacing (max)	50'	75'

2.8.4. **IX7** INDUSTRIAL FLEX 7A. **SITE**

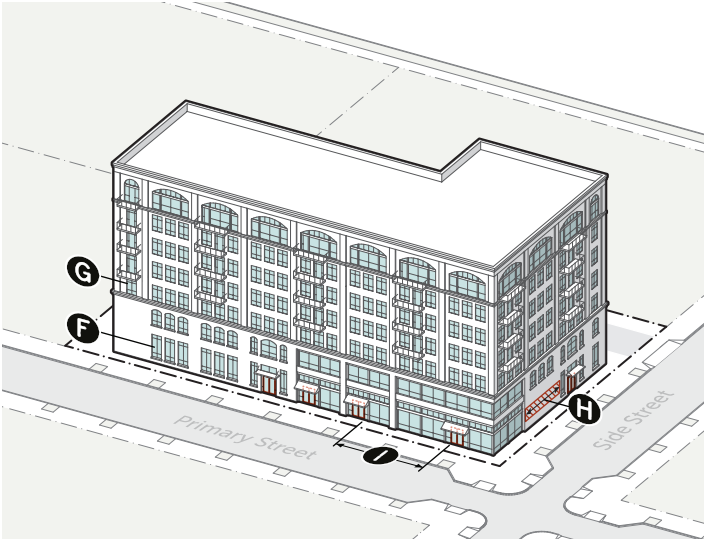
1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Unlimited
3. Amenity	2.2.4
B Outdoor amenity space (min)	10%
4. Walls & Fences	2.2.5
Front yard height (max)	Type C4 6'
Side street yard height (max)	Type C4 6'
Side/rear yard height (max)	Type C6 8'
5. Streetscape	2.2.6
C Pedestrian zone (min)	7'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

B. MASSING



1. Building	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	2.2.12
D Ground story height (min)	13'
E Ground floor elevation (min/max)	-2'/5.5'



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

2.8.5. Summary of Allowed Uses

Summary of Use Standards		Add. Stds.
1. Residential		
Household Living	P	
Group Living	P	
Social Services	C	
2. Open		
Parks & Open Space	P	
Urban Agriculture	P*	3.2.3.C
3. Public		
Community Service	P	
Day Care	P	
Education	P	
Government	P	
Religious Assembly	P	
Transit Station	P	
4. Commercial		
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
5. Industrial		
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

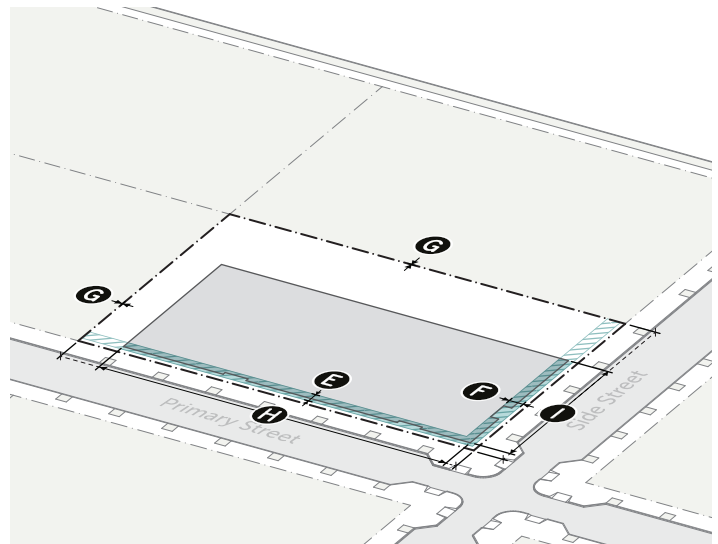
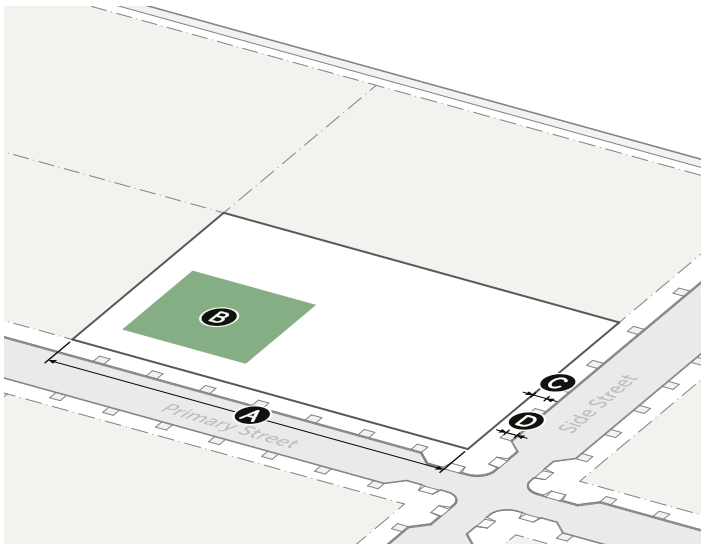
Section 3002.9. Urban Innovation



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

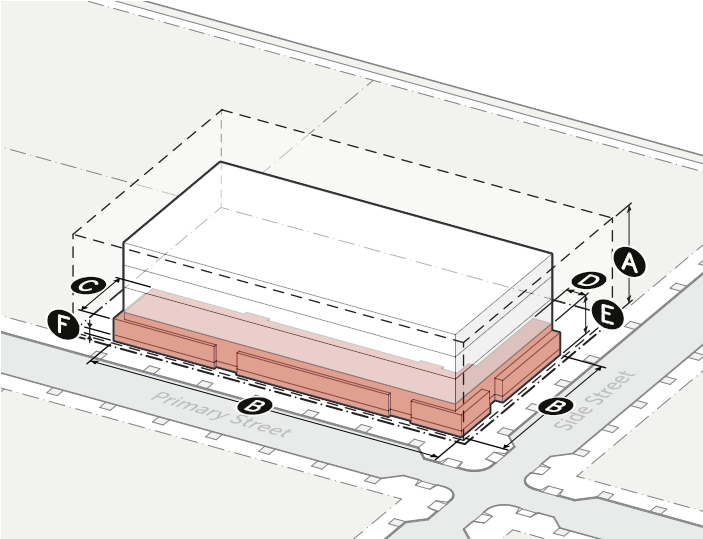
2.9.2. **UI4** URBAN INNOVATION 4A. **SITE**

1. Size	2.2.2
A Width (min)	
Front access	60'
Side/rear access	15'
2. Dwelling Units	2.2.3
Max per site	Not allowed
3. Amenity	2.2.4
B Outdoor amenity space (min)	15%
4. Walls & Fences	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'
5. Streetscape	2.2.6
C Pedestrian zone (min)	8'
D Furniture zone (min)	6'
Planting strip type	Raised curb planter
Trees in planting strip	Required (2.2.6(F))

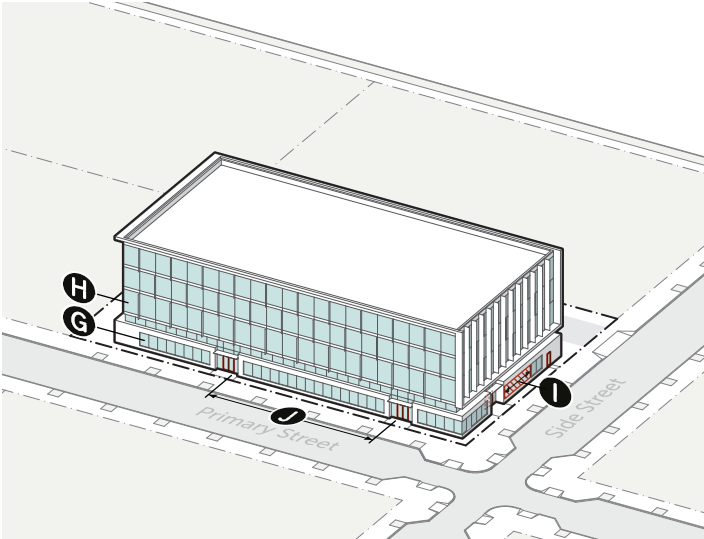
6. Setbacks	2.2.7
E Primary street boundary line (min/max)	2'/10'
F Side street boundary line (min/max)	2'/10'
G Rear/side boundary line (min)	0'
Alley boundary line	3' or 20' min
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	85%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

UI4

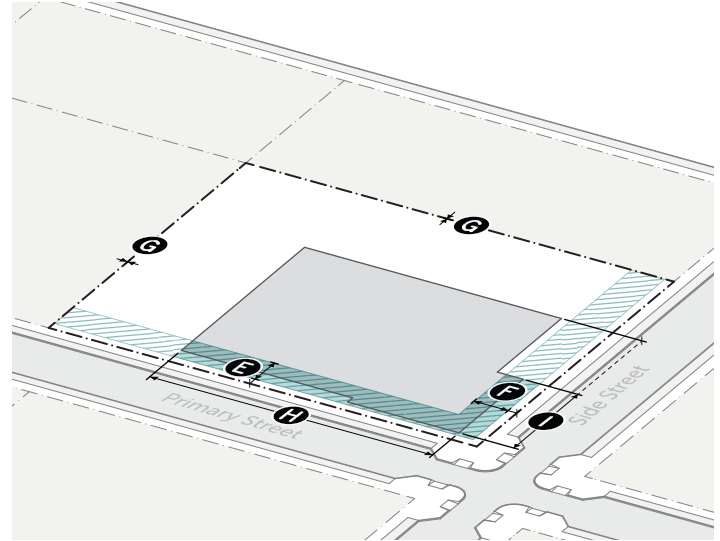
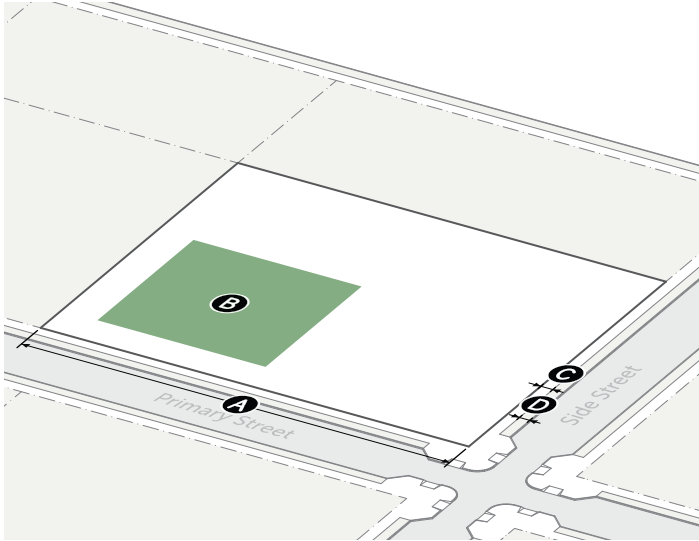
B. MASSING



1. Building	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	2.2.12
E Ground story height (min)	12'
F Ground floor elevation (min/max)	-2'/5.5'



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

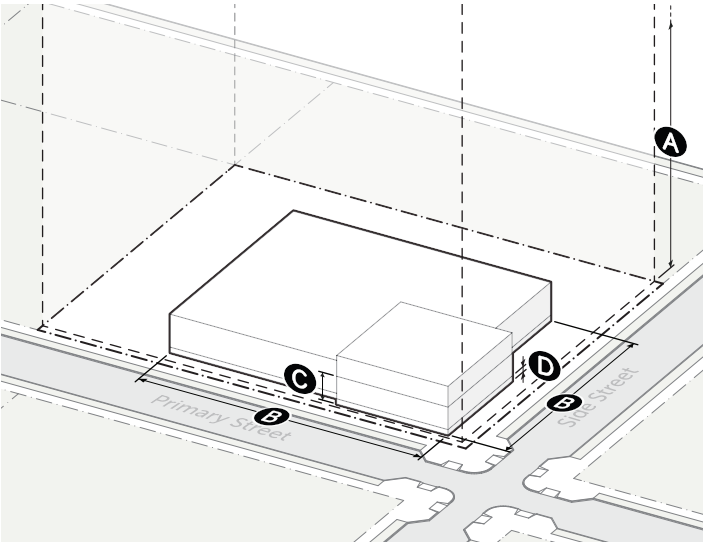
2.9.3. **UIC** URBAN INNOVATION CAMPUSA. **SITE**

1. Size	2.2.2
A Width (min)	75'
2. Dwelling Units	2.2.3
Max per site	Not allowed
3. Amenity	2.2.4
B Outdoor amenity space (min)	20%
4. Walls & Fences	
Front yard height (max)	Type C4 6'
Side street yard height (max)	Type C4 6'
Side/rear yard height (max)	Type C6 8'
5. Streetscape	2.2.6
C Pedestrian zone (min)	6'
D Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

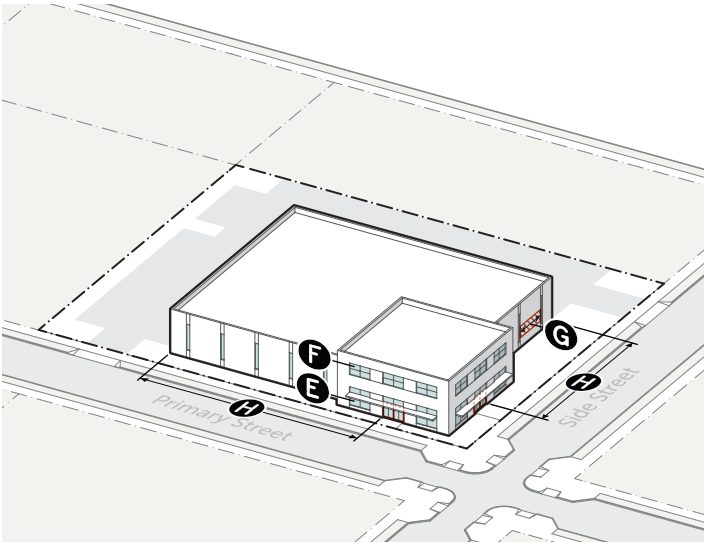
6. Setbacks	2.2.7
E Primary street boundary line (min/ max)	5'/25'
F Side street boundary line (min/ max)	5'/25'
G Rear/side boundary line (min)	0'
7. Transitions	2.2.8
Setback from transition boundary line (min)	10'
8. Street Build-Out	2.2.9
H Primary street (min)	see 2.2.9.C.2
I Side street (min)	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

UIC

B. MASSING



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



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

2.9.4. Summary of Allowed Uses

Summary of Use Standards		Add. Stds.
1. Residential		
Household Living	--	
Group Living	--	
Social Services	--	
2. Open		
Parks & Open Space	P	
Urban Agriculture	P*	3.2.3.C
3. Public		
Community Service	P	
Day Care	P	
Education	P	
Government	P	
Religious Assembly	P	
Transit Station	P	
4. Commercial		
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	--	
5. Industrial		
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

Section 3002.10. Special



2.10.1. Intent

A. CV Civic

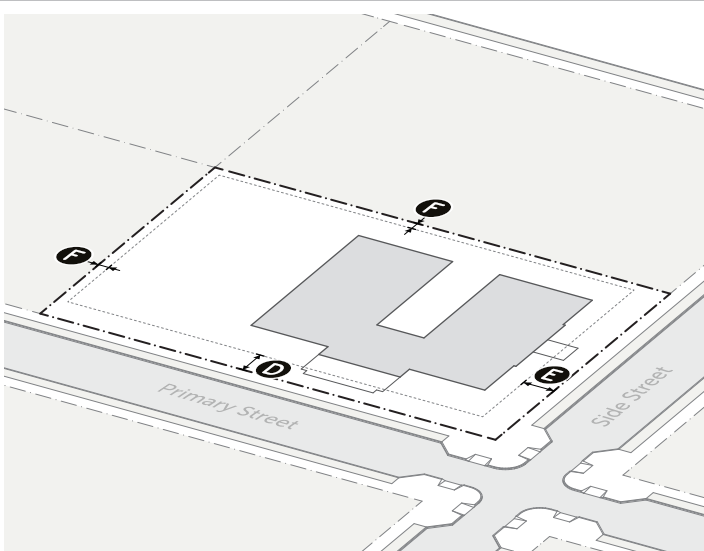
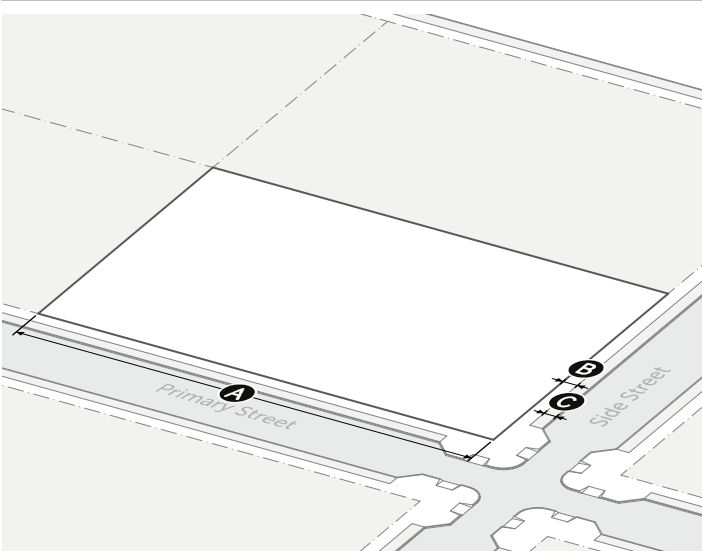
Intended to accommodate civic and institutional uses that serve the surrounding neighborhoods and produce activities that do not readily assimilate into other zoning districts.

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

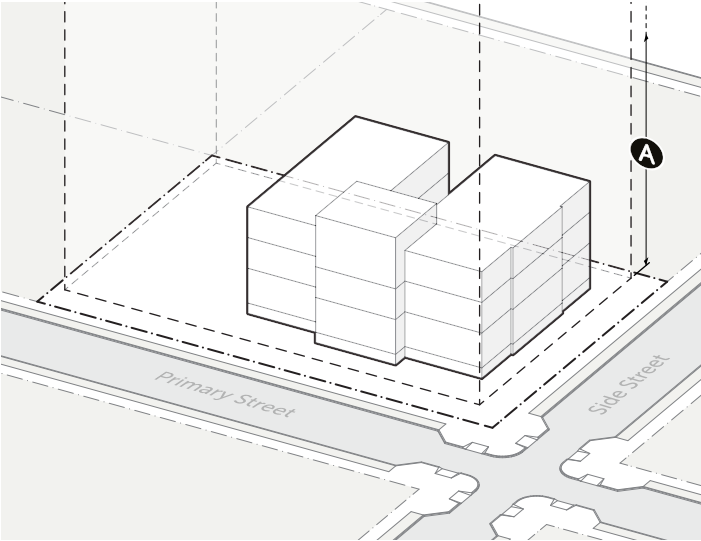
A. SITE



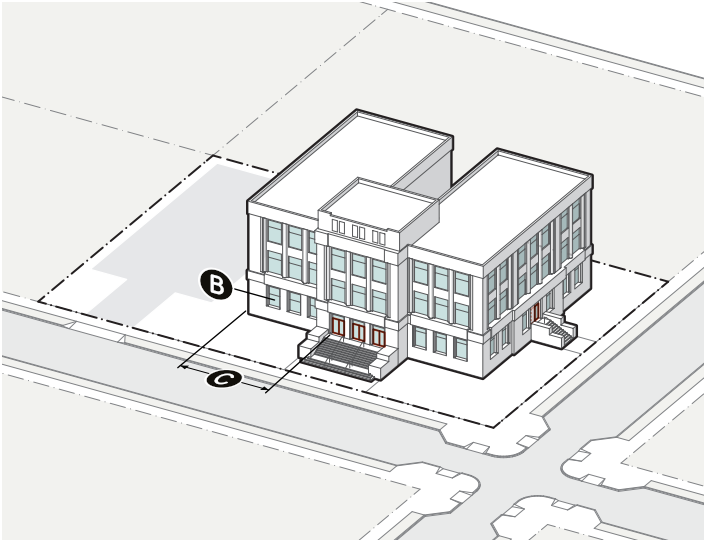
1. Size	2.2.2
A Width (min)	60'
2. Dwelling Units	2.2.3
Max per site	Not allowed
3. Amenity	2.2.4
Outdoor amenity space (min)	n/a
4. Walls & Fences	2.2.5
Front yard height (max)	Type C4 6'
Side street yard height (max)	Type C4 6'
Side/rear yard height (max)	Type C6 8'
5. Streetscape	2.2.6
B Pedestrian zone (min)	6'
C Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

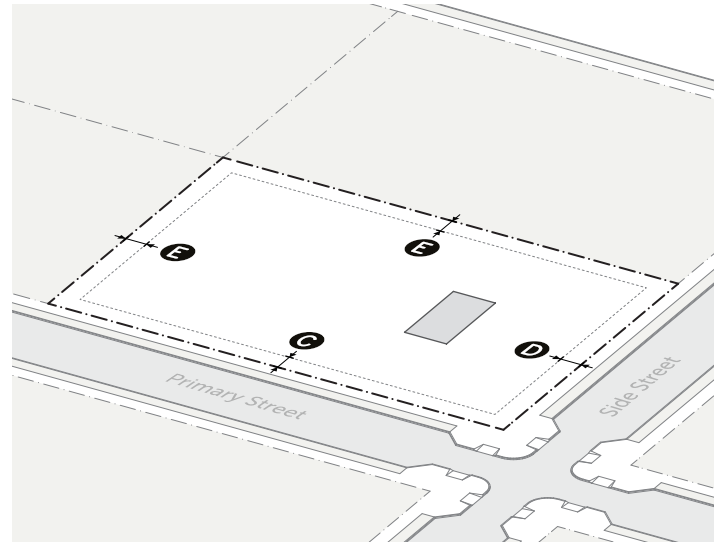
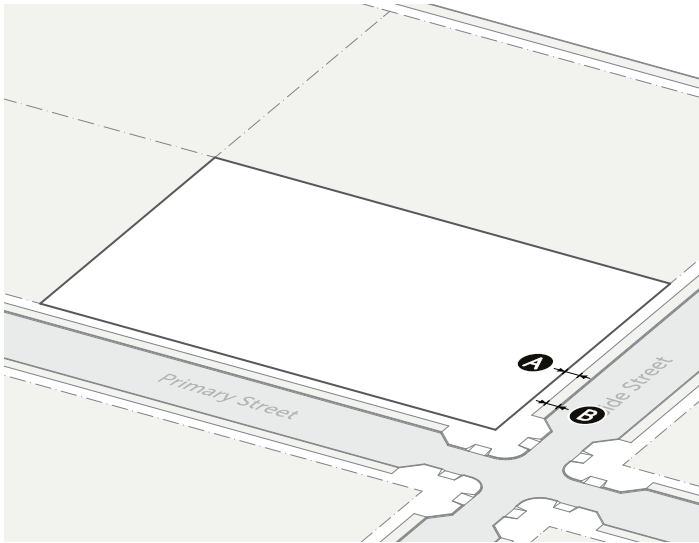
B. MASSING



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



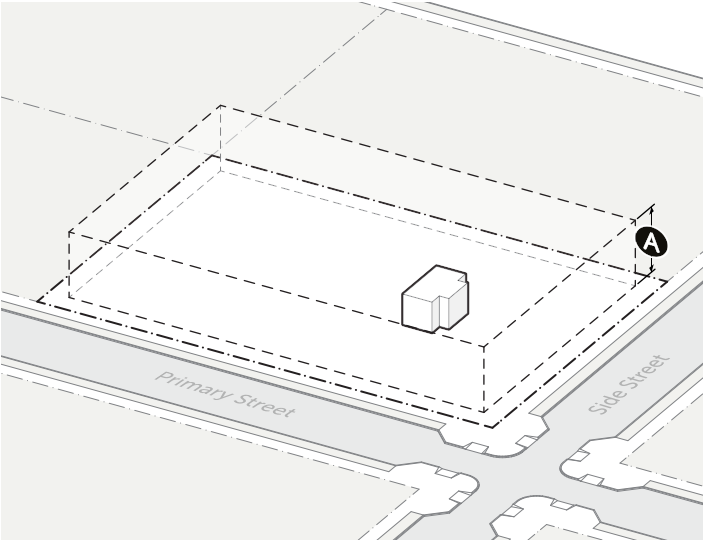
	Primary St.	Side St.
3. Windows	2.2.13	
B Ground story (min)	20%	n/a
Upper story (min)	n/a	n/a
Blank wall width (max)	n/a	n/a
4. Doors	2.2.14	
C Street-facing entry spacing (max)	200'	n/a

2.10.3. **PK PARK**A. **SITE**

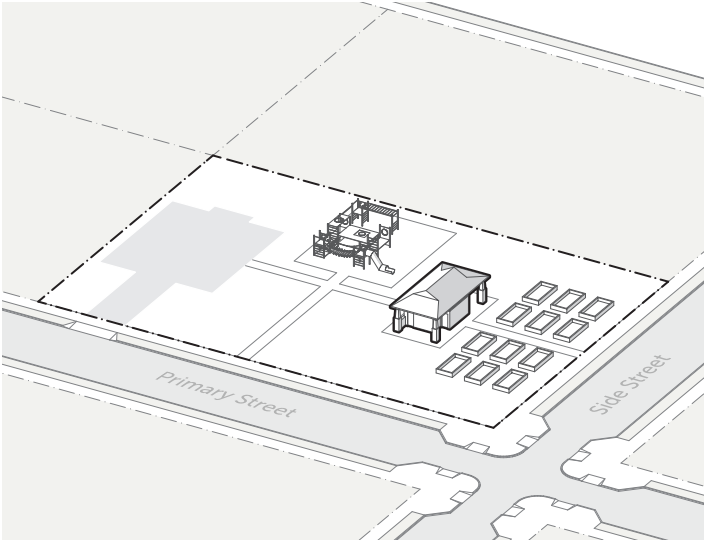
1. Size	2.2.2
Width (min)	n/a
2. Dwelling Units	2.2.3
Max per site	Not allowed
3. Amenity	2.2.4
Outdoor amenity space (min)	n/a
4. Walls & Fences	2.2.5
Front yard height (max)	Type C4 6'
Side street yard height (max)	Type C4 6'
Side/rear yard height (max)	Type C6 8'
5. Streetscape	2.2.6
A Pedestrian zone (min)	6'
B Furniture zone (min)	6'
Planting strip type	Tree lawn/ Raised curb planter
Trees in planting strip	Required (2.2.6(F))

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

B. MASSING



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



	Primary St.	Side St.
3. Windows	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	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.
1. Residential				
Household Living	--	--		
Group Living	--	--		
Social Services	C	--		
2. Open				
Parks & Open Space	P	P		
Urban Agriculture	P*	P*		3.2.3.C
3. Public				
Community Service	P	--		
Day Care	P	--		
Education	P	--		
Government	P	--		
Religious Assembly	P	--		
Transit Station	P	--		
4. Commercial				
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	--	--		
5. Industrial				
Heavy Industrial	--	--		
Light Industrial	--	--		
Makerspace	--	--		
Research & Development	--	--		
Warehouse & Distribution	--	--		

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

CHAPTER 3003.

USE REGULATIONS

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Section 3003.1. 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 *Section 3003.2*. The use categories used in the use table are listed in *Section 3003.3*. The examples of permitted uses listed are not an exhaustive list. The Administrator is responsible for categorizing uses - see *3.1.4*.

3.1.3. Accessory Uses

Accessory uses are allowed in conjunction with a permitted principal use - see *Section 3003.4*.

3.1.4. Administrator Responsibility

- A. The Administrator 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 Administrator will place the proposed use under that use category.
- B. When determining whether a proposed use is similar to a listed use in *Section 3003.3*, the Administrator 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.

Section 3003.2. **Allowed Uses**

No certificate of occupancy may be issued for a use that is not allowed by this Section. 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 in accordance with [5.1.5](#).

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
A. Residential												
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. Open												
Parks & Open Space	P	P	P	P	P	P	P	P	P	P	P	
Urban Agriculture	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	3.2.3.C
C. Public												
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	--	
D. Commercial												
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
E. Industrial												
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 (see 5.1.5).

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 6:00 am and 10:00 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.

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 area may be permitted by the Planning Commission as a conditional use (see 5.1.5).

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 (see 5.1.5).

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 area may be permitted by the Planning Commission as a conditional use (see 5.1.5).

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 (see 5.1.5).

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.

Section 3003.3. 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

Section 3003.4. **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 Administrator 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 Administrator 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 through the conditional use process (see 5.1.5).
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 3.3.2.B and not located in a dwelling unit that are located in remaining districts are allowed as a principal use - see Section 3003.2.

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 *Section 3003.3*):
 - i. Retail.
 - ii. Personal service.
 - iii. Office.
 - iv. Makerspace.
- b. Family home day care is subject to *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 *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 3004.

DEVELOPMENT STANDARDS

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Section 3004.1. **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
4.2.1	Access	●	○	○	○	○	○	○
4.2.2	Parking	●	○	○	○	○	○	○
4.2.3	Bicycle Parking	●	●	●	○	●	●	○
4.3.1	Parking Lot Landscaping	●	○	●	○	○	○	○
4.3.2	Screening	●	○	○	○	●	○	○
4.3.3	Walls & Fences	●	●	●	○	●	○	○
4.3.4	Plants & Plant Material	●	●	●	○	●	○	○
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 *Section 3004.2*, *Section 3004.3* and *Section 3004.4*.

Section 3004.2. **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 Administrator, 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**

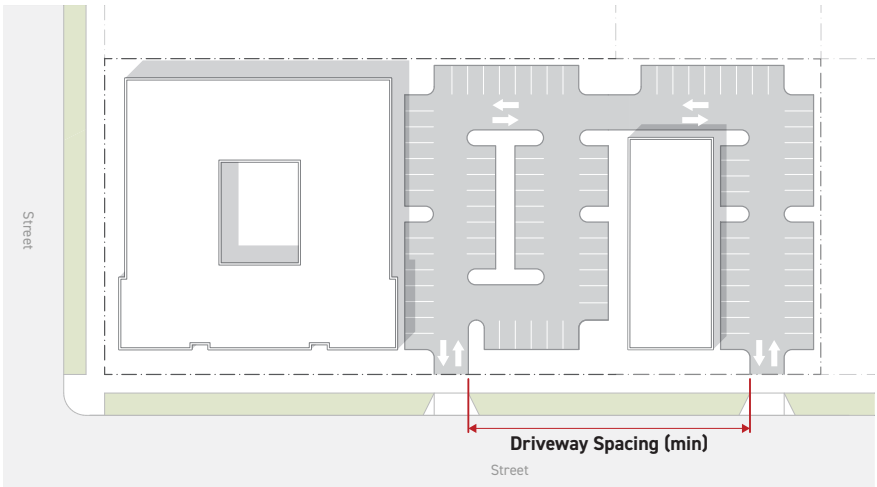
All driveway access from or to a street serving an on-site parking area with 6 or more parking spaces.

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 Administrator.

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 [Section 3005.1](#).

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 Section.

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.

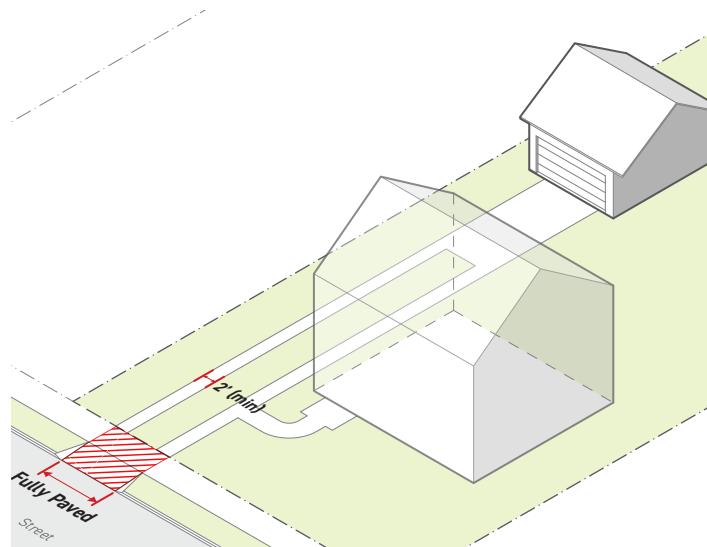
3. Surfacing

- 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 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

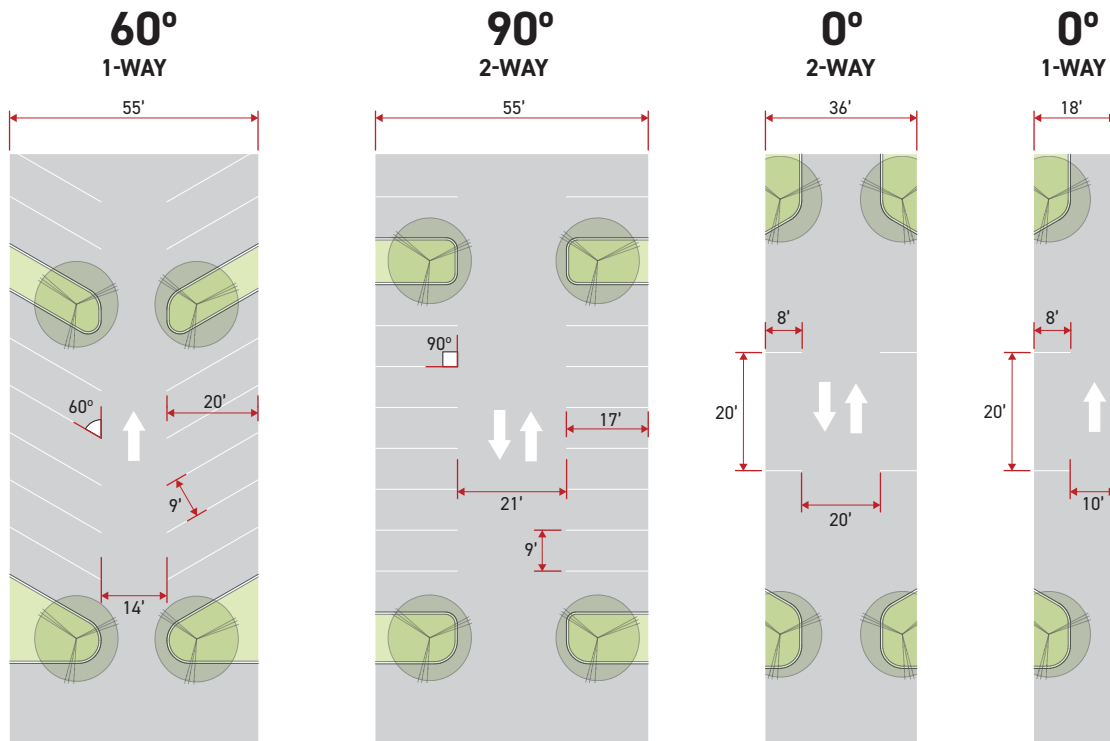
For driveways serving up to 6 on-site parking spaces, the Administrator may allow the following surfacing modification.

- 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 [4.4.1.E, Parking and Pedestrian Area Lighting](#).

7. Landscaping

Parking lots must be landscaped and screened in accordance with [4.3.1](#).

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 [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 [Section 3005.1](#).

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 3003*.
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)
RESIDENTIAL USES		
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
OPEN USES		
All uses	1/2,000 SF of site area	None
PUBLIC USES		
All uses	1/5,000 SF of gross floor area, 2 min	1/10,000 SF of gross floor area, 2 min
COMMERCIAL USES		
All uses	1/2,500 SF of gross floor area, 2 min	1/5,000 SF of gross floor area, 2 min
INDUSTRIAL USES		
All uses	1/10,00 SF of gross floor area, 2 min	1/5,000 SF of gross floor area, 2 min

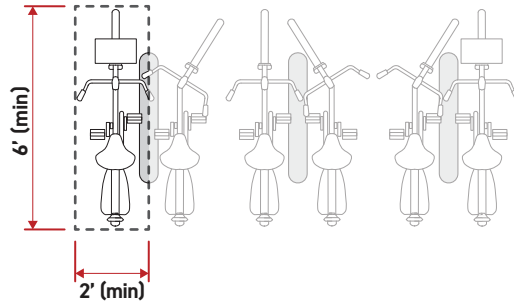
2. When the application of the bicycle parking requirements results in the requirement of a fractional bicycle parking space, fractions of ½ or more are counted as 1 space.

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 *Section 3005.1*, 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 *Section 3005.1*.

Section 3004.3. Landscaping and 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

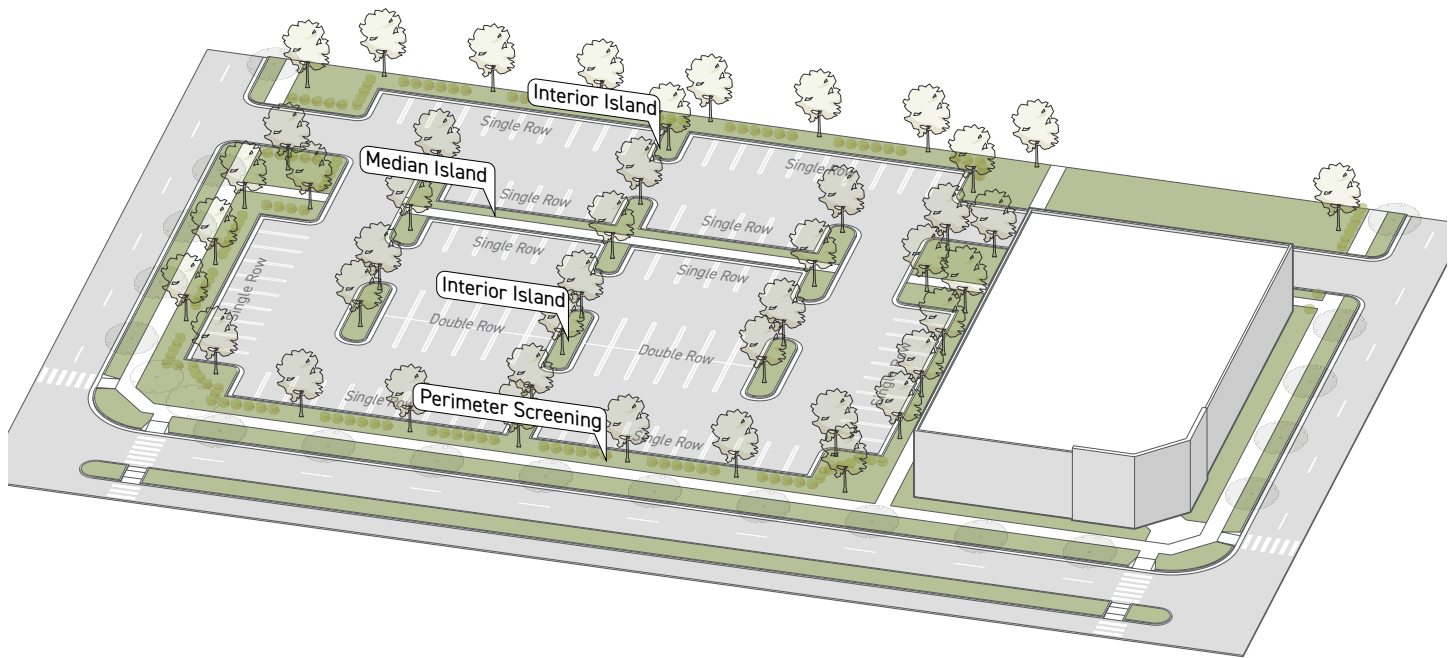
Where a parking lot abuts a street boundary line, the parking lot must be screened in accordance with *4.3.2.B, Street and Boundary Line Screening*.

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 10 feet in width and 200 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 10 feet in width and 400 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 10 feet wide. A median island with a pedestrian walkway must be a minimum of 12 feet wide, and the pedestrian walkway itself must be a minimum of 4 feet wide.



F. Relief

A parking lot landscaping dimensional standard may be modified by up to 15% in accordance with *Section 3005.1*.

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 *4.3.3.D, Design & Installation*.
- e. All plants provided must meet *4.3.4*.
- f. All fences must be installed with sufficient distance from the base of trees to avoid future conflict with tree growth.

2. Street Boundary Lines

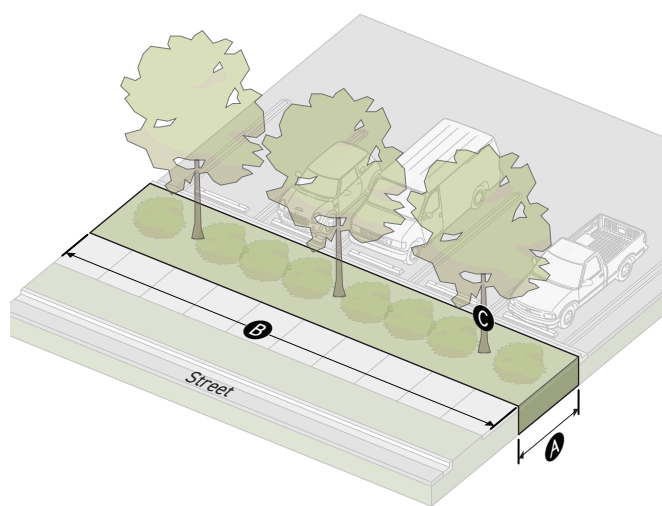
a. Applicability

- 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

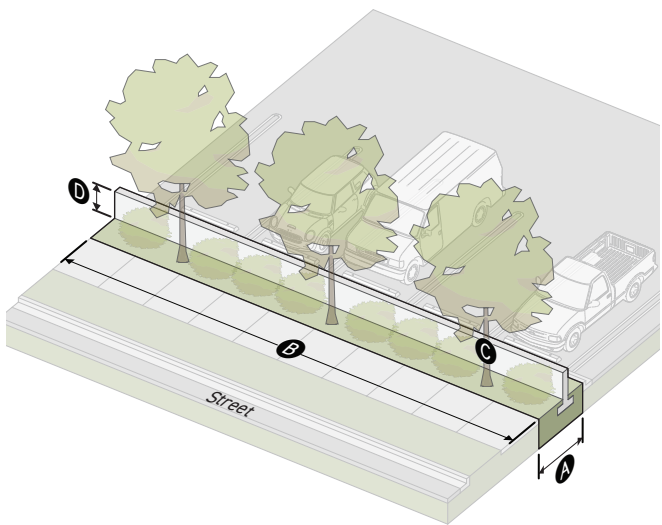
Landscape buffer intended for parking lot perimeters (including drive aisles, maneuvering areas and fire lanes) that face a street boundary line.



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 4.3.3.C.1
Opacity	n/a

Type A2

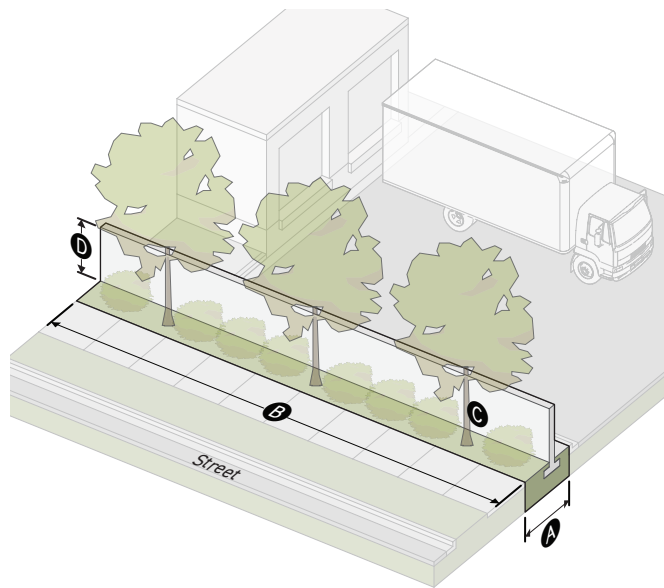
Landscape buffer with a low wall or fence intended for parking lot perimeters (including drive aisles, maneuvering areas and fire lanes) that face a street boundary line.



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 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	
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)	6'
Height (max)	8' Type C6 4.3.3.C.2
Opacity (min)	90%
Setback from boundary line (min)	4'

3. Common Boundary Lines

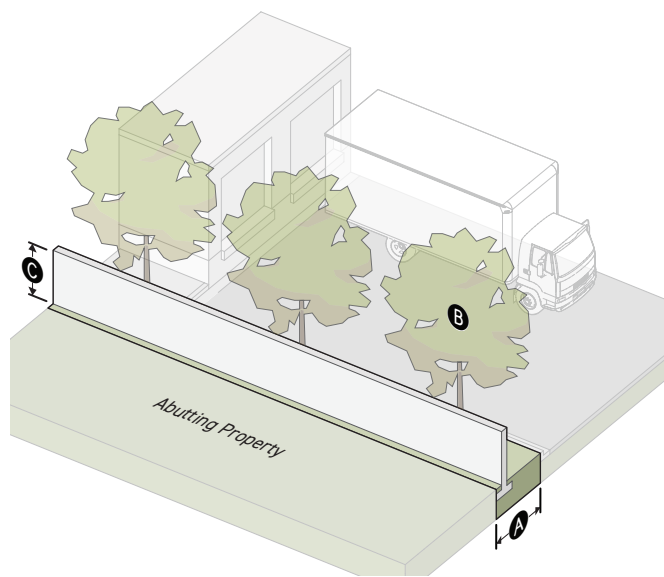
a. Applicability

- 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 *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

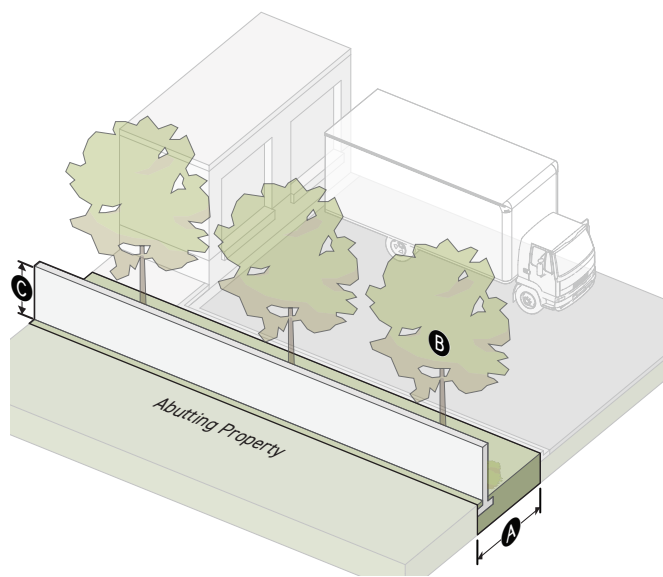
Medium landscape buffer with a high wall or fence intended for screening outdoor storage and loading areas that face a common boundary line.



TRANSITION AREA	
A Depth (min)	7'
B Large trees (min per 50')	3
WALLS & FENCES	
C Height (min)	6'
Height (max)	8' Type C6 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	
A Depth (min)	10'
B Large trees (min per 50') add shrubs	3
Shrubs (min per 50)	15
WALLS & FENCES	
C Height (min)	6'
Height (max)	8' Type C6 4.3.3.C.2
Opacity (min)	90%
Setback from property line (min)	0'

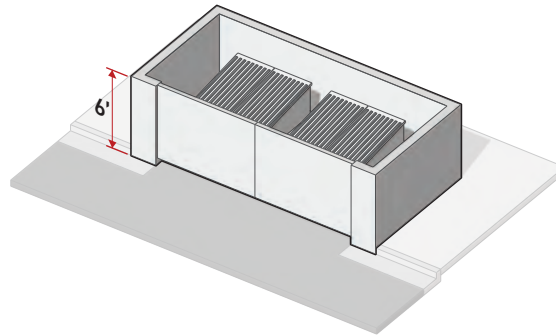
C. Waste Receptacle Screening

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 *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 *4.3.3.D, Design & Installation*.

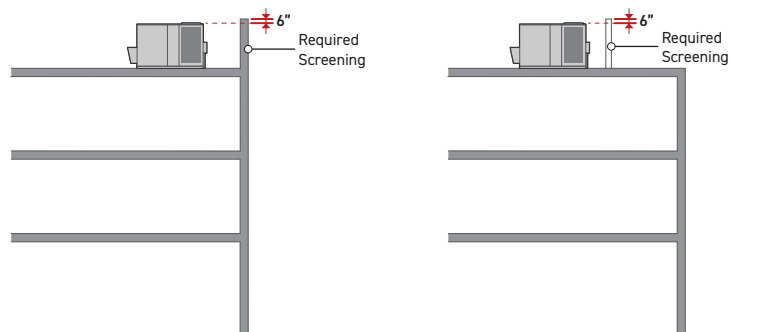


D. Roof-Mounted Mechanical/Electrical Equipment Screening**1. Applicability**

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

2. Standards

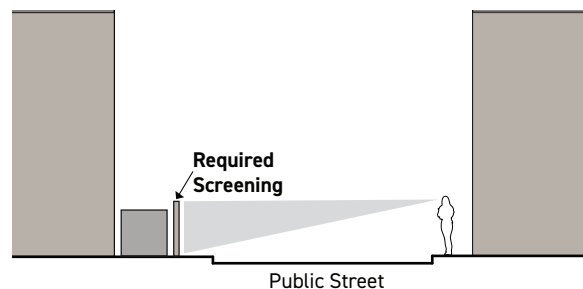
- Equipment must be screened on the roof edge side by parapet wall or other type of screen that is at least height 6 inches higher than the topmost point of the equipment being screened.
- The screening must be at least 75% opaque.
- Screening must meet the standards of *3.3.D, Design & Installation*.

**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 *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 *4.3.3.D, Design & Installation*.



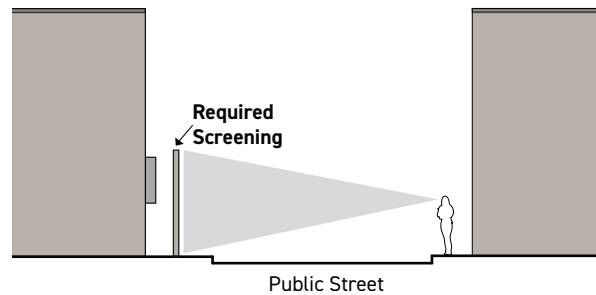
F. Wall-Mounted Mechanical/Electrical Equipment Screening

1. Applicability

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

2. Standards

- 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 *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 *4.3.3.D, Design & Installation*.



G. Relief

A screening dimensional standard may be modified by up to 20% in accordance with *Section 3005.1*.

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

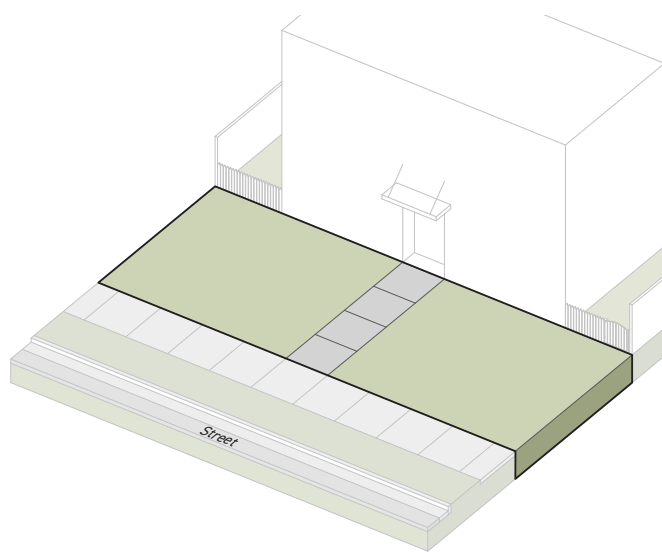
1. The wall and fence height limitations apply to all sites.
2. Allowed wall and fences types are set in *Chapter 3002*.
3. Where a screening requirement requires a taller wall or fence, the screening requirements supersede.

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.



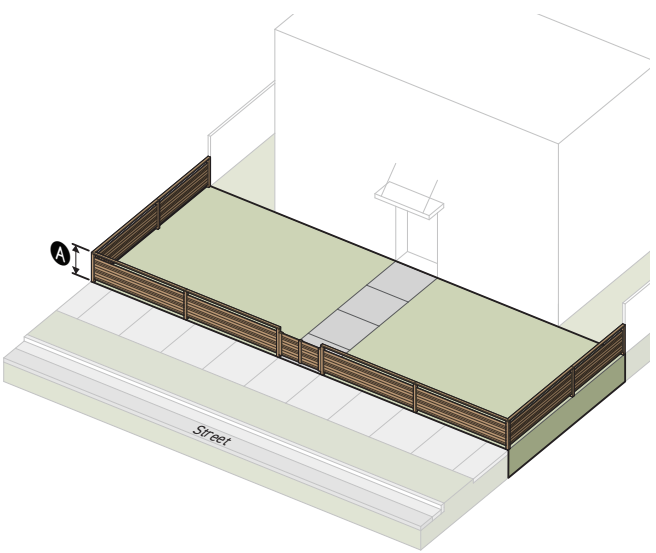
STANDARDS

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.

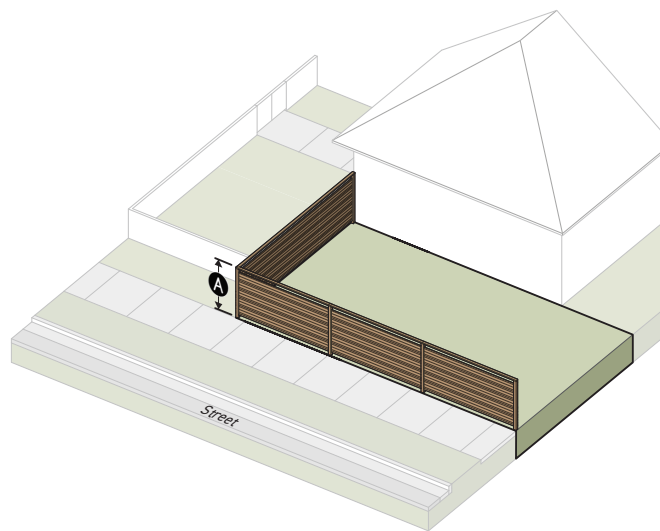


STANDARDS

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

Type C3

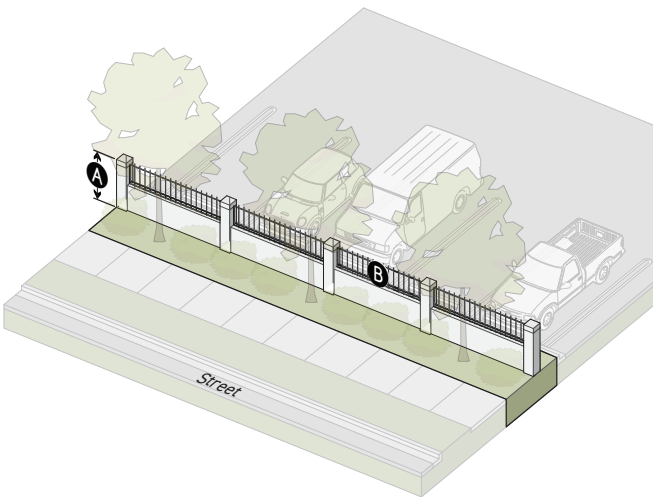
Intended for side street yards where natural surveillance and visual interest along the public realm is less critical than the need to mitigate impacts on private ground floor uses.



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.

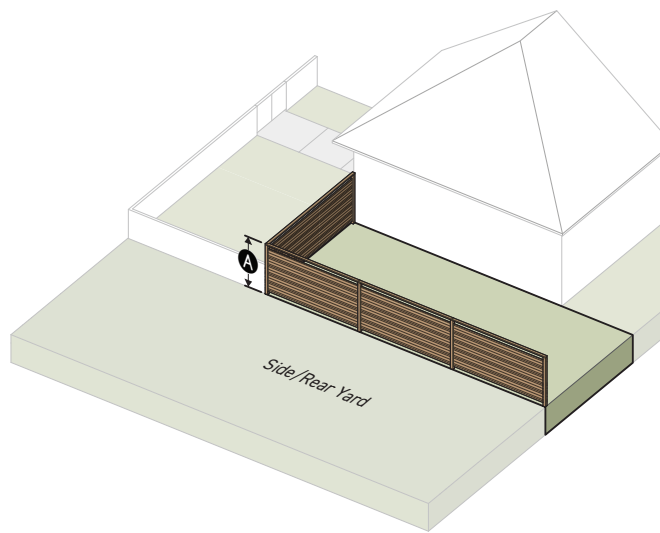


STANDARDS	
A Wall/fence height (max)	6'
Setback from boundary line (min)	3'
B Opacity above 4' in height (max)	50%

2. Side/Rear Yard Wall and Fence Types

Type C5

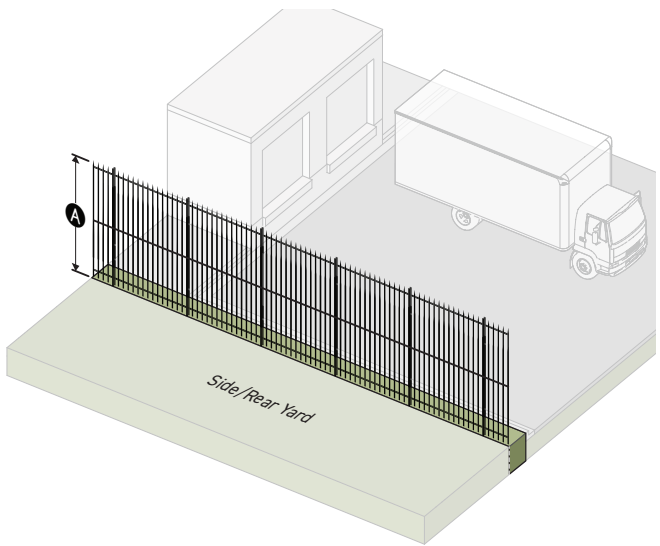
Intended for residential side and rear yards.



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

Type C6

Intended for commercial and industrial side and rear yards.



STANDARDS	
A 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 [4.3.2.B, Street and Boundary Line Screening](#) and [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.

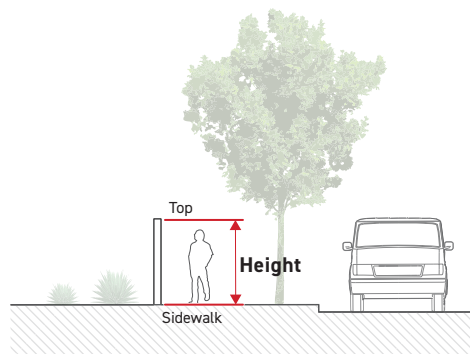
3. Maintenance

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

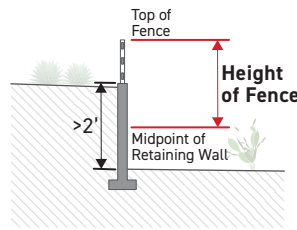
a. Front/Side Street Yards

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



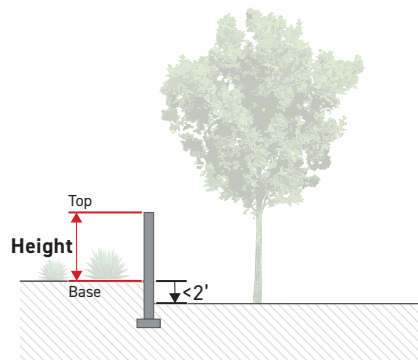
- ii. Where no sidewalk exists within 20 feet of the wall or fence, height is measured from the base of the wall or fence to the topmost point of the wall or fence, on the exterior side of the wall or fence.

- 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.

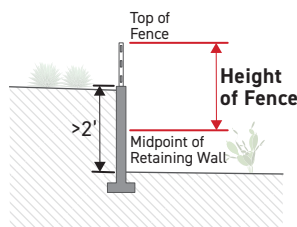


b. Side/Rear Yards

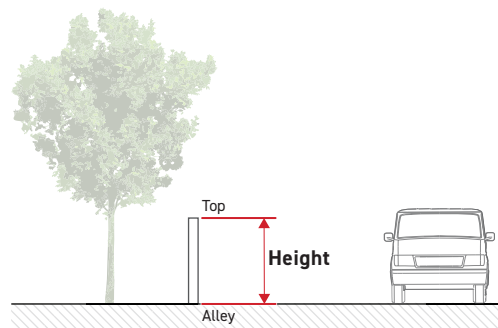
- i. Where the difference in grade on either side of a wall or fence is less than 2 feet, height is measured from at the base of the wall or fence on the side with the highest grade.



- 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.

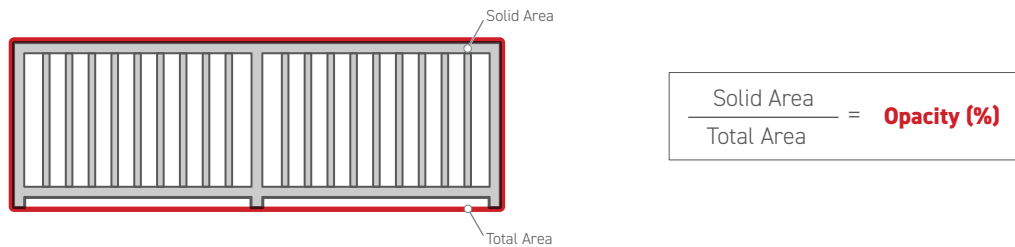


- iii. Fences and walls located in a rear or side yard abutting an alley are measured from the surface of the adjacent alley, vertically to the topmost point of the wall or fence.



5. Opacity

- 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.
- 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 *Section 3005.1*.

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

- Plants installations shall adhere to Ohio Administrative Code Rule 901:5-30-01 and any successor provision thereof.
- No artificial plants, trees, or other plants may be installed.
- Plant materials with better resilience and adaptability to reflected heat and dry conditions should be selected.
- 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

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

E. Trees

1. All trees must conform to ANSI Z60.1 Standard for Nursery Stock and be between 1.75" and 2.25" inches caliper at time of planting.
2. Large trees must have a minimum canopy height of 60 feet at maturity.
3. Small trees must have a minimum canopy height of 20 feet at maturity.
4. Street trees must be installed in accordance with standards, specifications, and permit requirements prescribed by the Division of Urban Forestry.

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 *Section 3005.1*.

Section 3004.4. 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 Section.

C. Prohibited Lighting Sources

The following light fixtures and sources cannot be used:

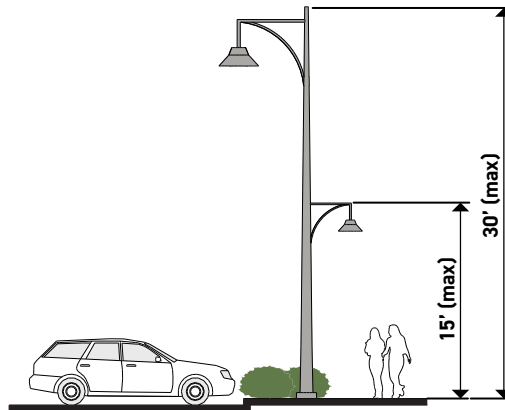
1. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not incandescent.
2. Temporary searchlights and other high-intensity narrow-beam, moving fixtures that shine light directly up to the sky.

D. Design and Installation

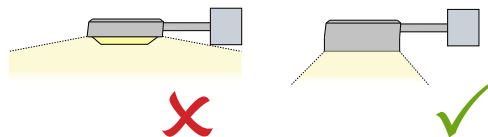
1. The maximum light level of any light fixture measured at the right-of-way line of a street cannot exceed an average of 2.5 footcandles. The uniformity ratio should be no more than 4:1.
2. Light sources must have a Color Rendering Index (CRI) value of 80 or higher.
3. Lighting must not be oriented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

E. Parking and Pedestrian Area Lighting

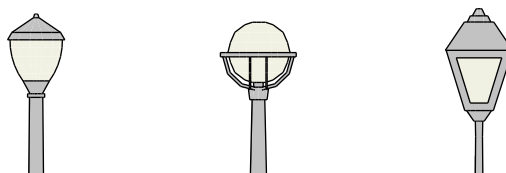
1. Light fixtures within parking lots and motor vehicle use areas can be no higher than 30 feet.
2. Light fixtures within pedestrian areas mounted on poles may be no higher than 15 feet.



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

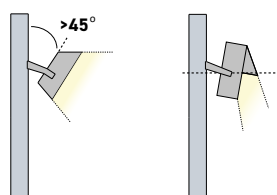


4. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

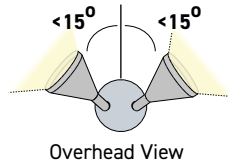


F. Flood Lights and Flood Lamps

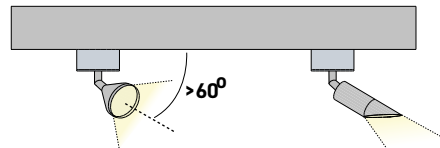
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



- 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 *Section 3005.1*.

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CHAPTER 3005.

ADMINISTRATION

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Section 3005.1. **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	TRC	PC	Appeal Body
Level 1: Zoning Clearance Review (up to 5 units/5,000 SF)	■			[BZA]
Level 2: Technical Plan Review (6 to 20 units/5,001-20,000 SF)	■	□		[BZA]
Level 3: Planning Commission Review (20+ units/20,000+ SF)	□	□	[■]	[BZA]
Conditional Use Permit	□		[■]	[BZA]
Written Interpretations	■			[BZA]

■ = Decision

□ = Recommendation

[] = Public Hearing

BZA = Board of Zoning Appeals

PC = Planning Commission

TRC = Technical 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. **Technical Review Committee**

1. **Authority**

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

2. Composition

- a. In addition to the Administrator, the Technical Review Committee must consist of a representative from the following departments:
 - i. Planning (Neighborhood Planner of specific project);
 - ii. Building and Housing;
 - iii. Community Development;
 - iv. Economic Development;
 - v. Law;
 - vi. Public Safety - Police and Fire;
 - vii. Public Utilities - Water, Water Pollution Control;
 - viii. Department of Construction & Engineering;
 - ix. Sustainability; and
 - x. Urban Forestry.
- b. The Administrator will determine which departments must attend meetings on a case by case basis. The Administrator may also add additional departments or agencies as deemed appropriate to advise on a given application.

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.

E. Landmarks Commission

1. The provisions of Chapter 161 – Landmarks Commission – apply to properties governed by this Title VIIA and that, pursuant to Chapter 161, have been designated landmarks or are located in a designated landmark district.

5.1.2. Level I: Zoning Clearance Review

A. Applicability

1. Zoning Clearance Review is required for applications that include up to 5 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 *Section 3002.1* and *Section 3004.1*.

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 Technical Plan Review (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 5.1.1.D.1.

D. Application Requirements

An application for Zoning Clearance Review must be submitted pursuant to *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 *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 *Section 3002.2* or *Chapter 3004.*
3. When approving a request for an adjustment, the Administrator cannot modify a standard beyond the percentage specified in the applicable subsection.

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: Technical Plan Review

A. Applicability

1. Technical Plan Review is required for applications that include between 6 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 *Section 3002.1* and *Section 3004.1*.

B. Authority

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

C. Pre-Application Conference

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

D. Application Requirements

An application for Technical Plan Review must be submitted pursuant to 5.1.1.D.2.

E. Technical Review Committee Action

1. Upon submission of a completed application, the Administrator must schedule the application for review by the Technical 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 Technical Review Committee, must review the application in light of the approval criteria in 5.1.3.G.

F. Relief

1. During the review process, the Administrator, with review by the Technical 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 *Section 3002.2* or *Chapter 3004*.
3. When approving a request for an adjustment, the Administrator cannot modify a standard beyond the percentage specified in the applicable subsection.

G. Approval Criteria

In approving an application for Technical 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 Technical 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 Technical 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 *Section 3002.1* and *Section 3004.1*.

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 *5.1.1.D.1*.

D. Application Requirements

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

E. Administrator Action

Following submission of a completed application, the Administrator, in consultation with the Technical Review Committee, must review the application in light of the approval criteria in [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 [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 [1.1.4](#) and [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 [Section 3002.2](#) or [Chapter 3004](#).
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 [Section 3002.2](#) or [Chapter 3004](#), 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 [1.1.4](#) and [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 Technical 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 Planning Commission may appeal the decision pursuant to *Chapter 329, Board of Zoning Appeals*.

5.1.5. Conditional Uses

A. Applicability

1. Conditional uses are uses that may be appropriate in a specific zoning district, but because of the increased potential for incompatibility with adjacent uses, they require individual review by the Planning Commission.
2. A conditional use permit is required for all conditional uses as specified in *Chapter 3003*.

B. Authority

The Planning Commission is authorized to approve or deny applications for a conditional use permit.

C. Pre-Application Conference

An applicant requesting conditional use permit must schedule a pre-application conference pursuant to *5.1.1.D.1*.

D. Application Requirements

An application for a conditional use permit must be submitted pursuant to *5.1.1.D.2*.

E. Administrator Action

Following submission of a completed application, the Administrator must review the application in light of the approval criteria in *5.1.5.G* 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 *5.1.5.G*.
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 approval criteria of *5.1.5.G*.

G. Approval Criteria

The Planning Commission must review the particular facts and circumstances of each proposed use in terms of the following criteria and must find adequate evidence that the use, as proposed, satisfies the following criteria:

1. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area;

2. Will not restrict or adversely affect the existing use of the adjacent property owners;
3. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.

H. Effect of Approval

After the approval of a conditional use permit, the applicant may apply for any other approvals including, but not limited to, Zoning Clearance Review, Technical Plan Review or Planning Commission Review, or those permits and approvals required by the Building Code.

I. Expiration

A conditional use permit expires:

1. 18 months from the date of approval by the Planning Commission if Zoning Clearance Review, Technical Plan Review or Planning Commission Review approval has not been granted.
2. 18 months from the date of approval by the Planning Commission if a building permit has not been granted.
3. 18 months from the date of approval by the Planning Commission if no building permit is required and the use has not commenced operation.
4. In the event that the use allowed by a conditional use permit once established is not used for a period of 2 consecutive years.

J. Appeals

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

5.1.6. 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 *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 3006.

DEFINITIONS

Section 3006.1. Defined Terms 6-2

Section 3006.1. 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.

Administrator. The Administrator of this Code is the Director of the Cleveland Planning Commission. The Administrator may designate any City of Cleveland Planning Commission staff member to represent the Administrator in any function assigned by this Code.

Conditional Use. A use which may be permitted in specific districts subject to compliance with certain standards and explicit conditions set forth in this Code and the approval of a conditional use permit.

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 3003* 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.

Division of Urban Forestry. The Urban Forestry Section of the Division of Park Maintenance.

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

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.

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CHAPTER 3007.

ZONING MAPS

Section 3007.1. Zoning Maps7-2

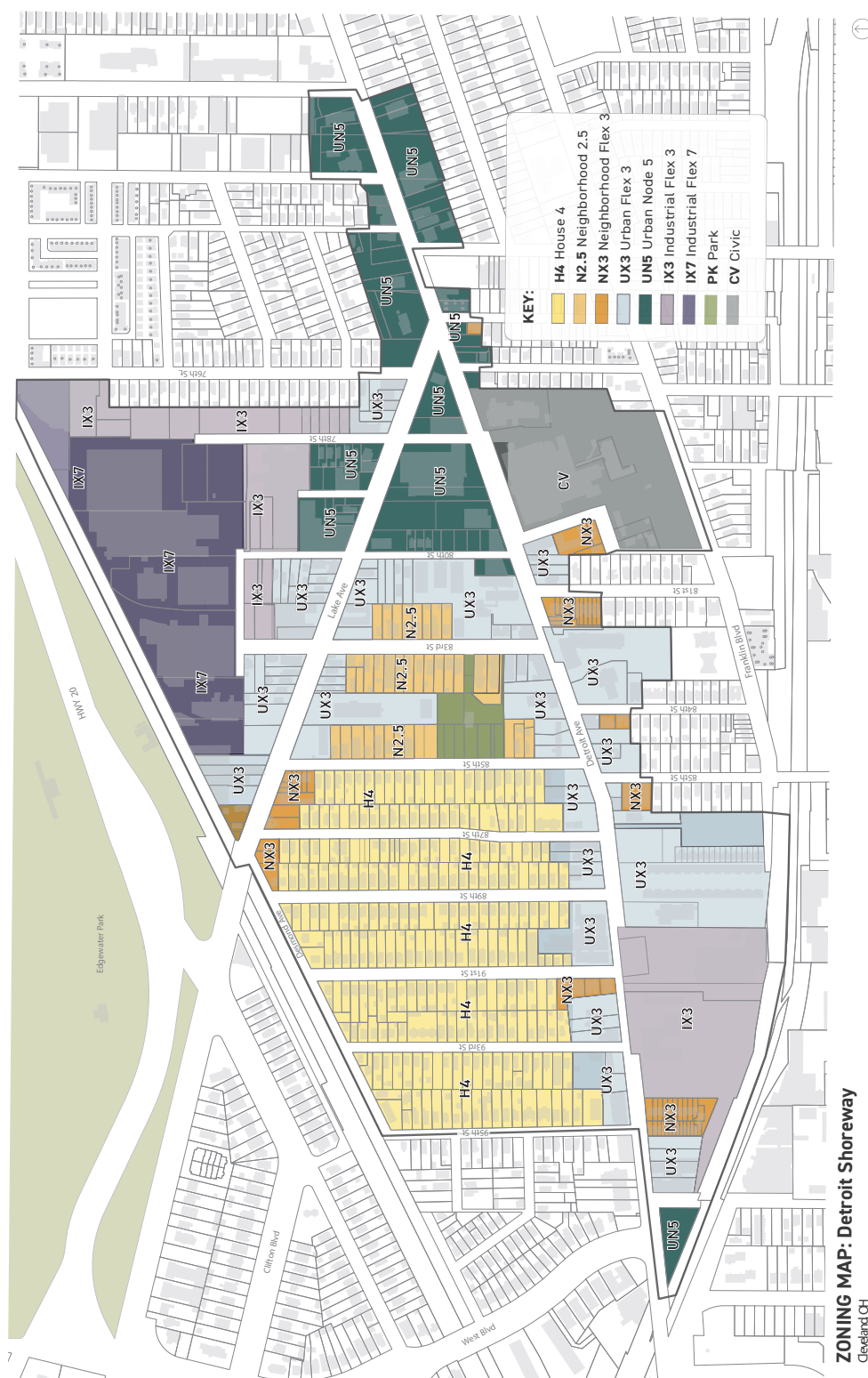
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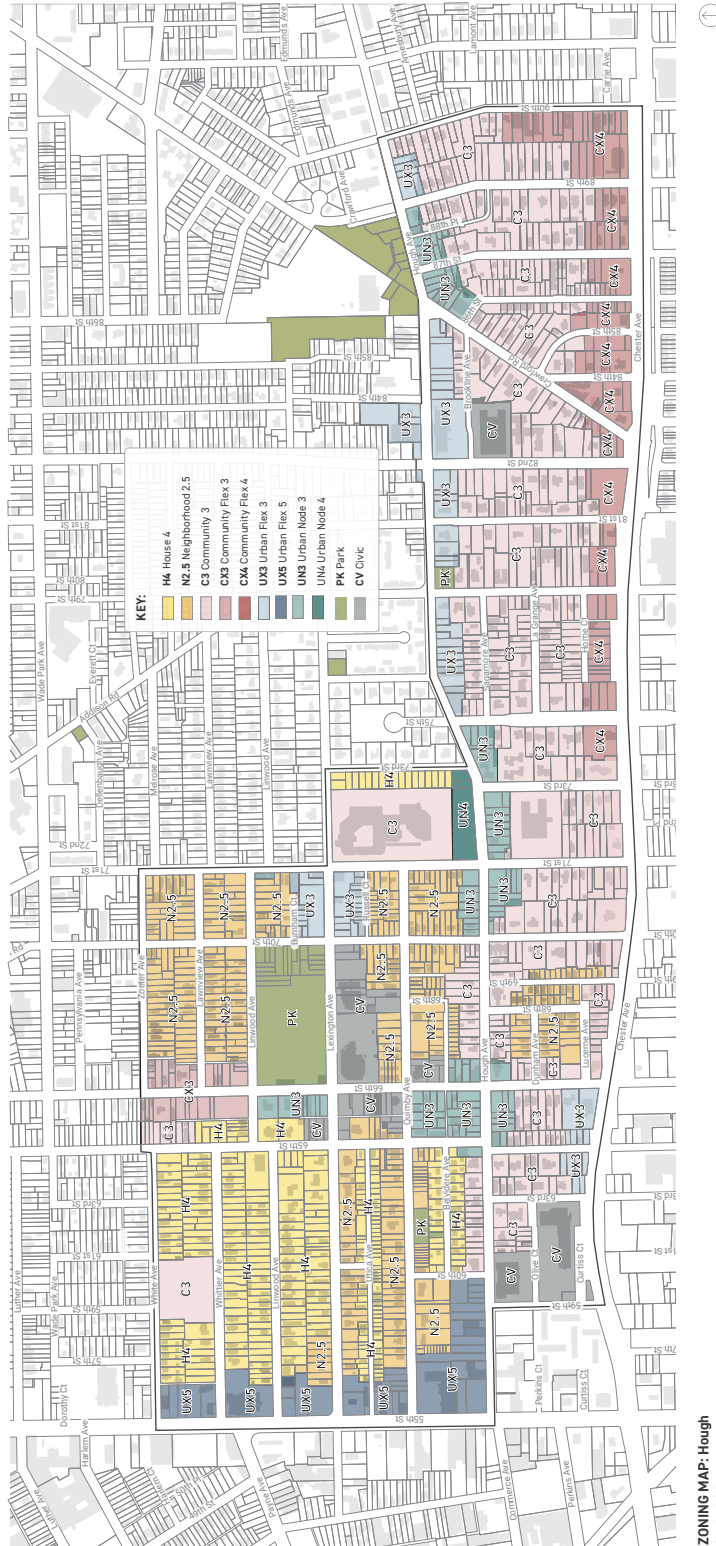
7.1.3. Opportunity Corridor – Core Jobs Zone7-4

7.1.4. Opportunity Corridor – New Economy and Innovation Sq. .7-5

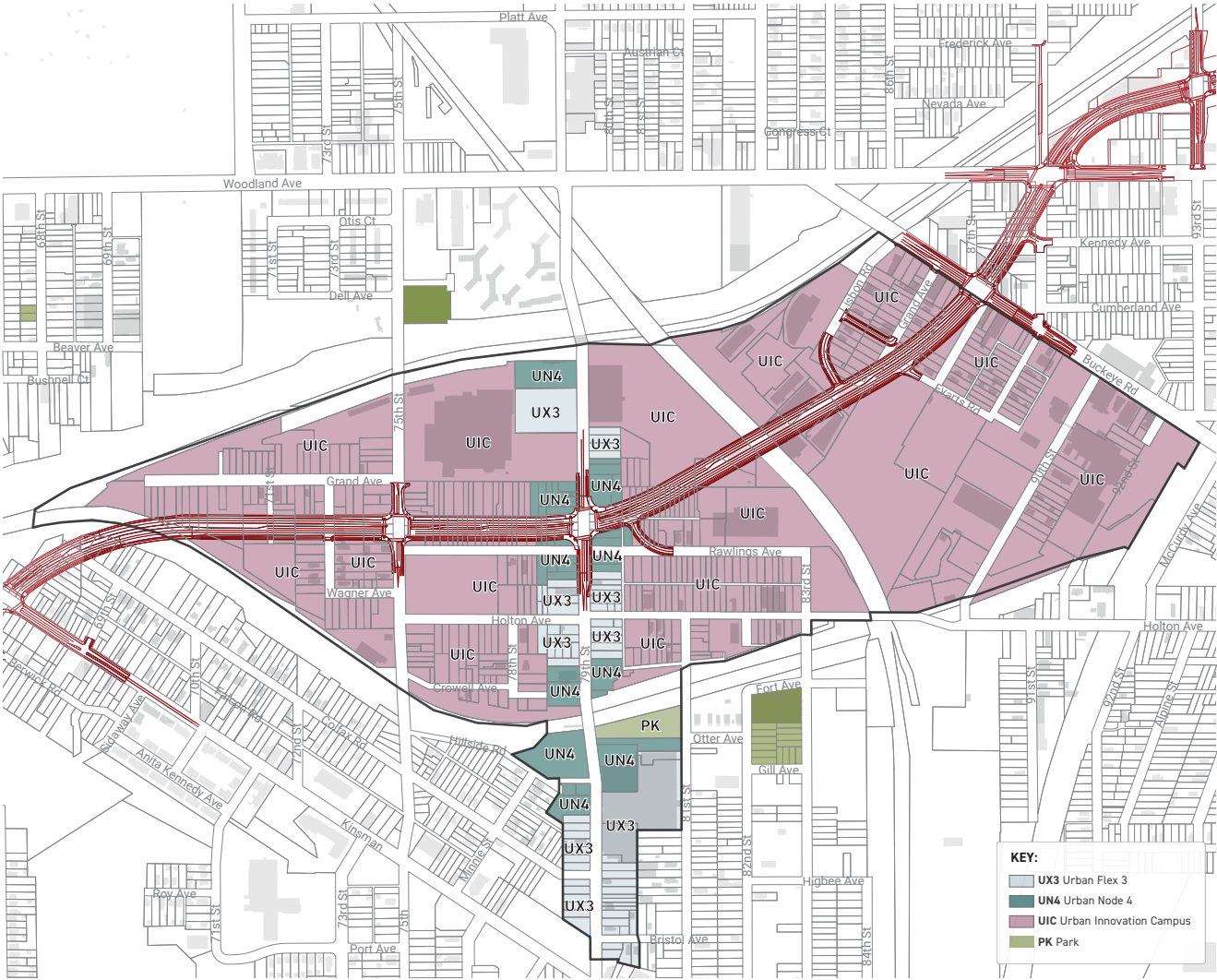
7.1.1.1. Detroit Shoreway – Cudell



7.1.2. Hough



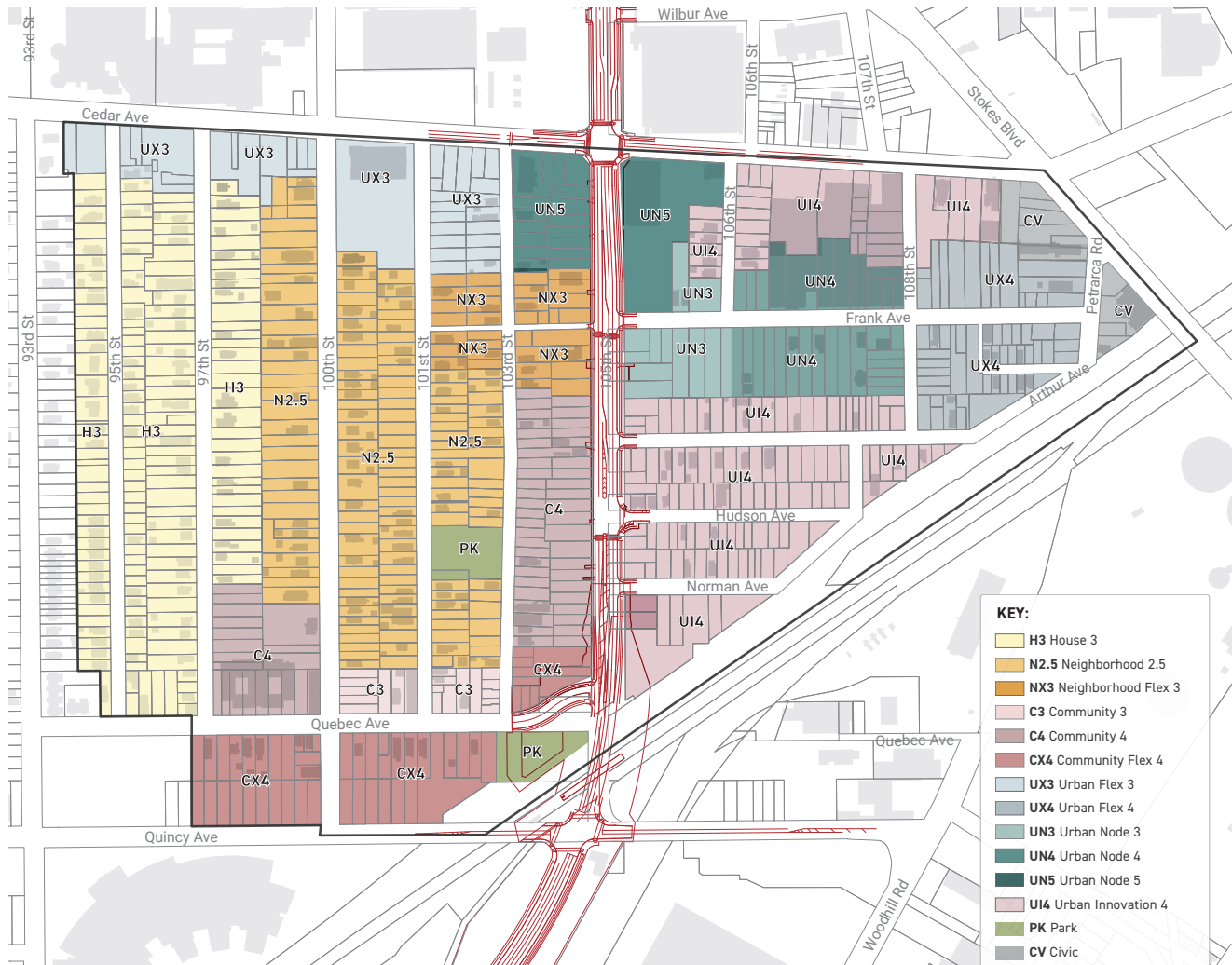
7.1.3. Opportunity Corridor – Core Jobs Zone



ZONING MAP: Opportunity Corridor – Core Jobs Zone
Cleveland, OH



7.1.4. Opportunity Corridor – New Economy and Innovation Square



ZONING MAP: Opportunity Corridor – New Economy and Innovation Square
Cleveland, OH

①



CITY OF CLEVELAND
Mayor Justin M. Bibb

Section 2. That Section 327.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 546-93, passed June 14, 1993, is amended to read as follows:

Section 327.01 Interpretation and Purpose

(a) In addition to this Title VII, Zoning Code, Council has adopted a Form-Based Code at Title VIIA of the Codified Ordinances which governs the land use and zoning regulations for four (4) territorial areas of the municipality as shown on the Zoning Maps in Title VIIA: Detroit Shoreway – Cudell, Hough, Opportunity Corridor – New Economy and Innovation Square, and Opportunity Corridor – Core Jobs Zone. Notwithstanding the provisions of division (c) of this Section 327.01, the provisions of Title VIIA shall supersede the provisions of Title VII, except where specific reference is made to the provisions of Title VII in Title VIIA.

(b) In interpreting and applying the provisions of this Zoning Code, they shall be held to be the minimum requirements adopted for the promotion of public health, safety, morals and general welfare. Greater or lesser requirements, however, may be established with respect to dimensional, quantitative, signage, landscaping and screening standards as part of a Community Development Plan or Urban Renewal Plan, adopted or amended on or after the effective date of this section, which establishes a generally higher standard of design than would otherwise be required for the overall development or project area; provided that, the introduction of any legislation to adopt or amend a Community Development Plan or Urban Renewal Plan that has such greater or lesser requirements must have the consent of the member or members of Council in whose ward(s) the development or project area is located. Each application of a provision authorizing lesser requirements shall be documented by the City Planning Commission in the Certificate of Appropriateness which it issues in approving a development located within such designated Plan area.

(c) Except as provided in divisions (a) and (b) of this Section 327.01, where this Zoning Code imposes greater restrictions upon the use of buildings or premises or upon the height or bulk of buildings or requires larger lots or yards than are imposed or required by other chapters of the Codified Ordinances or by other laws, ordinances, rules or regulations, this Zoning Code shall govern.

(d) Nothing contained in this Zoning Code shall be construed to remove or render inoperative any restriction of land established by restrictive covenants running with the land to which the City is a party.

Section 3. That the Director of City Planning shall provide all members of Council a report every six months concerning the implementation and impact of the Form Based Code within each pilot area, including but not limited to measures such as application cycle time, number of projects, the number and type of variances requested and issued, number and type of code or map amendments, number of new housing units and dwelling units per project, property tax changes over time, property transfers including average residential sales price and price per square foot, property values and property value changes over time, number of new street trees, and a summary of new building

types and listing of specific projects completed in the prior six-month period. Before the approval of a permit for new construction in the four zoning districts in Sections 3007.1.1 to 3007.1.4, the Director of City Planning shall notify the Council Member of the ward where the new construction is located.

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

Passed June 3, 2024.

Effective July 3, 2024.

Ordinance No. 443-2024

By Council Members: Kazy and Griffin (by departmental request)

An emergency ordinance determining the method of making the public improvement of constructing the Panna Lane Pump Station, Belvidere Avenue, Mannering Avenue, Courtland Avenue/Victory Boulevard, West 50th Street, Lawnview Avenue and Capitol Avenue Area sewer improvements, including but not limited to, installing manholes and catch basins; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to employ one or more professional consultants necessary for the improvement; and to apply for and accept funding.

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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Panna Lane Pump Station, Belvidere Avenue, Mannering Avenue, Courtland Avenue/Victory Boulevard, West 50th Street, Lawnview Avenue and Capitol Avenue Area sewer improvements, including but not limited to, installing manholes and catch basins (the “Improvement”), for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants

available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 5. That the Director of Public Utilities is authorized to apply for and accept funding from the Northeast Ohio Regional Sewer District (“NEORS”) for Community Cost-Share Program and Member Community Infrastructure Program to implement the Improvement; that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 6. That the Director of Public Utilities and/or the Director of Finance are authorized to apply for and accept one or more Water Pollution Control Loan Fund (“WPCLF”) loans from the Ohio Environmental Protection Agency (“EPA”) or Ohio Water Development Authority, or other agencies; that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

The Director of Public Utilities and/or the Director of Finance, as appropriate, are authorized to enter into one or more loan agreements with the Ohio EPA or Ohio Water Development Authority, or other appropriate agency, for one or more WPCLF loans, which loan agreement or agreements shall contain additional terms that are acceptable to the Director of Law to protect the public interest. Upon execution of the WPCLF loan agreement or agreements, the Director of Public Utilities and/or the Director of Finance are authorized to repay the loan funds to the WPCLF in accordance with the terms and conditions of the WPCLF loan agreement or agreements, from the operating revenues of the Division of Water Pollution Control.

Section 7. That the Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept grants as they become available and other funding from the United States of America and its federal agencies, the state of Ohio and its state agencies, and public agencies and/or pass-through entities approved by the governmental entity and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants; and that the funds are appropriated for the purposes described in this ordinance.

Section 8. That the cost of the contracts and other expenditures authorized shall be paid from Fund No. 54 SF 001, from the fund or funds to which are credited the proceeds from funding received through the Community Cost-Share Program, the Member Community Infrastructure Program, WPCLF loans, the fund or funds to which are credited the proceeds of grants received or from the sale of bonds authorized by Ordinance No. 898-2023, passed September 18, 2023, if the City sells such bonds and are issued for this purpose, from the sale of future bonds if issued for this purpose, and from any other funds approved by the Director of Finance. (RQS 2003, RLA 2024-02)

Section 9. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 446-2024

By Council Members: Kazy and Griffin (by departmental request)

An emergency ordinance to amend Sections 535.04, 535.05 and 535.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 178-2021, passed October 25, 2021, relating to water rates, affordability programs, and fees and charges for water service.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the rates, rules and regulations of the Division of Water, Department of Public Utilities, for water services, fixed by the Board of Control by Resolution No. _____, adopted _____ are approved.

Section 2. That Sections 535.04, 535.05, and 535.06, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 178-2021, passed October 25, 2021, are amended to read as follows:

Section 535.04 Water Rates

(a) *Water Rates.*

*(1)Monthly Water Rate Schedule for Direct Service Accounts.**

	2024	2025	2026	2027	2028	2029
Monthly Fixed Charges*						
5/8 in. – 1 in. Meter	\$9.50	\$9.85	\$9.90	\$9.90	\$9.90	\$9.90
1-1/2 in. and 2 in. Meter	\$18.70	\$19.35	\$19.45	\$19.45	\$19.45	\$19.45
3 in. and 4 in. Meter	\$63.50	\$65.70	\$66.05	\$66.05	\$66.05	\$66.05
6 in. Meter	\$112.90	\$116.85	\$117.45	\$117.45	\$117.45	\$117.45
8 in. Meter	\$169.30	\$175.25	\$176.15	\$176.15	\$176.15	\$176.15
10 in. Meter	\$215.10	\$222.65	\$223.75	\$223.75	\$223.75	\$223.75
12 in. Meter	\$257.50	\$266.50	\$267.85	\$267.85	\$267.85	\$267.85
Homestead	\$6.00	\$6.20	\$6.25	\$6.25	\$6.25	\$6.25

* Fixed charges are not prorated. The charge used will correspond with the bill period end date.

Monthly Consumption Charge						
	2024	2025	2026	2027	2028	2029
Usage Rates (per MCF)**						
Cleveland						

0 to 0.2 MCF	\$22.65	\$23.44	\$24.32	\$25.23	\$26.18	\$27.16
Additional MCFs	\$38.49	\$39.84	\$41.33	\$42.88	\$44.49	\$46.16
Homestead	\$14.72	\$15.24	\$15.81	\$16.40	\$17.02	\$17.66
Low / 1 st High						
0 to 0.2 MCF	\$29.45	\$30.48	\$31.62	\$32.81	\$34.04	\$35.32
Additional MCFs	\$50.04	\$51.79	\$53.73	\$55.74	\$57.83	\$60.00
Homestead	\$19.13	\$19.80	\$20.54	\$21.31	\$22.11	\$22.94
2nd High						
0 to 0.2 MCF	\$36.23	\$37.50	\$38.91	\$40.37	\$41.88	\$43.45
Additional MCFs	\$61.61	\$63.77	\$66.16	\$68.64	\$71.21	\$73.88
Homestead	\$23.55	\$24.37	\$25.28	\$26.23	\$27.21	\$28.23
3rd High***						
0 to 0.2 MCF	\$41.89	\$43.36	\$44.99	\$46.68	\$48.43	\$50.25
Additional MCFs	\$71.22	\$73.71	\$76.47	\$79.34	\$82.32	\$85.41
Homestead	\$27.23	\$28.18	\$29.24	\$30.34	\$31.48	\$32.66

** Water consumption charges are prorated if a billing cycle covers a multi-year period.

*** Includes all direct service communities in Medina, Summit and Geauga Counties.

(2) *Monthly Master Meter Water Rate Schedule.*

Master Meter Customer (per MCF)						
Community	2024	2025	2026	2027	2028	2029
Bedford	\$37.97	\$39.30	\$40.77	\$42.30	\$43.89	\$45.53
Chagrin Falls	\$43.90	\$45.44	\$47.14	\$48.91	\$50.75	\$52.65
Gauga County	\$44.09	\$45.63	\$47.34	\$49.12	\$50.96	\$52.87
Lakewood	\$30.85	\$31.93	\$33.13	\$34.37	\$35.66	\$37.00
Portage County*						

* Portage County shall pay the negotiated rate usage with the Division of Water, which shall be adjusted annually based on the Consumer Price Index and shall also pay the Division of Water's annual impact fee set forth in the then existing contract between the City and the County.

(3) *Additional Transition Rate to Be Charged to Customers of Cleveland Heights' Water System Converting to Cleveland Direct Service* (Customers shall also be charged Cleveland's Suburban Direct Service First and Second High Rates, as appropriate):

Community	Regular Transition Rate		Homestead/Affordability Transition Rate	
	Rate (\$/MCF)	Duration	Rate (\$/MCF)	Duration

Cleveland Heights' Customers in University Heights	\$11.81	2017 - 2026	\$4.72	2018 - 2026
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Emergency Stand By Charge (per MCF)						
Community	2024	2025	2026	2027	2028	2029
Berea	\$37.97	\$39.30	\$40.77	\$42.30	\$43.89	\$45.54
Lake County	\$30.85	\$31.93	\$33.13	\$34.37	\$35.66	\$37.00
Medina County	\$44.09	\$45.63	\$47.34	\$49.12	\$50.96	\$52.87
Hudson	\$44.09	\$45.63	\$47.34	\$49.12	\$50.96	\$52.87
Portage County	\$42.60	\$44.09	\$45.74	\$47.46	\$49.24	\$51.09

(b) *For Master Meter Communities.* All bills for water furnished shall be rendered monthly to the municipality or district to which water is so furnished, and if not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent (5%) each month to all past due balances. In the event that any monthly bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may, at its option, cease to furnish water to such municipality or district pending payment of any overdue amount.

(c) *Rates for Standby Emergency Water Service.* The rates to be charged for standby emergency water service shall consist of a monthly fee of three hundred dollars (\$300.00) in addition to the charge for consumption provided in division (a) of this section. Standby fees for standby emergency water service shall be payable in advance. All bills for water furnished under this section shall be rendered upon the termination of customer's emergency period or, if the duration of the emergency is longer than thirty (30) days, in thirty (30) day intervals. Any outstanding balance not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent (5%) each month to all past due balances. In the event that any standby fee is not paid in advance or any consumption bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may at its option, cease to furnish standby emergency water service to such customer pending payment of any overdue amount.

(d) *Large Industrial Customers.* All water used in excess of sixty-two million five hundred thousand (62,500,000) cubic feet during a three (3) month billing period shall be charged at a rate of seventy-five percent (75%) of the rate prescribed in this section for water used at the additional mcf rate.

(e) Water rates shall be charged based on the location of the water meter when determining whether a water account is located within City of Cleveland or a suburban community, or whether it is located within Cuyahoga County.

(f) The rates in this section are effective beginning January 1 of each year.

Section 535.05 Affordability Programs

(a) *Homestead Rate.* Homestead rates are eligible for single family residential property owned and occupied by a person sixty-five (65) years of age or older whose total annual income does not exceed the annual income limits set by the Director of Public Utilities starting with the 2024 year with an annual income of forty thousand eight hundred dollars (\$40,800.00). Income limits shall increase annually based on the Consumer Price Index (CPI) annual inflation, but shall not exceed three percent (3%) annually. Eligible properties approved shall be charged the homestead rate established for the service district in which the homestead is located under Section 535.04 of these Codified Ordinances. The Director of Public Utilities shall prescribe the application form for the homestead rates and have final approval of all applications.

(b) The Director of Public Utilities may establish an affordability program to provide assistance to eligible low-income customers. The program will offer rates equal to the Homestead Rate with an annual income that does not exceed two hundred percent (200%) of the Federal Poverty Income Guideline Level. The Director of Public Utilities shall set the guidelines for administering the affordability program and have final approval of all applications.

Section 535.06 Fees and Charges

For all fees and charges listed in this section, if the size is not listed, the fee will be assessed based on the next size larger on the schedule.

(a) *Account Setup**

	2024	2025	2026	2027	2028	2029
Tap Connection						
1 in. or smaller	\$248	\$253	\$261	\$270	\$278	\$287
1 ½ in.	\$518	\$529	\$546	\$564	\$582	\$601
2 in.	\$1,283	\$1,311	\$1,354	\$1,397	\$1,442	\$1,488
4 in.	\$1,647	\$1,683	\$1,737	\$1,793	\$1,850	\$1,910
6 in.	\$1,733	\$1,771	\$1,828	\$1,887	\$1,947	\$2,010
8 in.	\$1,949	\$1,992	\$2,056	\$2,122	\$2,190	\$2,261
10 in.	\$2,320	\$2,371	\$2,447	\$2,526	\$2,607	\$2,691
12 in.	\$3,248	\$3,320	\$3,426	\$3,536	\$3,650	\$3,767
16 in.	\$4,344	\$4,440	\$4,583	\$4,730	\$4,882	\$5,039

*Prices assume tap is a ductile iron pipe. For concrete pipe, a fifty-five percent (55%) surcharge shall be added.

(b) *Direct Tap / Tapping Sleeve Installation Fee.**

	2024	2025	2026	2027	2028	2029
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Tap / Connection						
1 in. or smaller	\$187	\$191	\$197	\$203	\$210	\$217
1 1/2 in.	\$394	\$401	\$414	\$428	\$441	\$456
2 in.	\$973	\$992	\$1,024	\$1,057	\$1,091	\$1,126
4 in.	\$1,248	\$1,272	\$1,313	\$1,355	\$1,399	\$1,444
6 in.	\$1,313	\$1,338	\$1,381	\$1,426	\$1,472	\$1,519
8 in.	\$1,477	\$1,505	\$1,554	\$1,604	\$1,655	\$1,708
10 in.	\$1,758	\$1,792	\$1,850	\$1,909	\$1,971	\$2,034
12 in.	\$2,461	\$2,509	\$2,589	\$2,673	\$2,758	\$2,847
16 in. or larger (deposit + cost)**	\$3,293	\$3,357	\$3,465	\$3,576	\$3,691	\$3,801

* Prices assume tap is a ductile iron pipe. For concrete pipe, a fifty-five percent (55%) surcharge shall be added.

** Fee listed is a deposit; actual final cost of labor and materials shall be assessed to customer.

(c) *New Connection Rescheduling Fee (if not cancelled 24 hours prior to appointment).*

2024	2025	2026	2027	2028	2029
\$141	\$152	\$158	\$164	\$170	\$176

(d) *Curb Valves.* Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

	2024	2025	2026	2027	2028	2029
Curb Valves						
1 1/2 in.	\$192	\$192	\$192	\$194	\$201	\$207
2 in.	\$192	\$192	\$192	\$194	\$201	\$207
3 in.	\$384	\$384	\$384	\$388	\$402	\$414
4 in.	\$384	\$384	\$384	\$388	\$402	\$414
6 in.	\$384	\$384	\$384	\$388	\$402	\$414
8 in.	\$384	\$384	\$384	\$388	\$402	\$414
10 in.	\$576	\$576	\$576	\$582	\$603	\$621
12 in.	\$576	\$576	\$576	\$582	\$603	\$621

(e) *Plugging Connections.* Fee only includes actual plugging of connection. Excavation and restoration shall be invoiced at cost to the customer.

	2024	2025	2026	2027	2028	2029
Plugging Connections						
Smaller than 2 in.	\$2,205	\$2,830	\$2,915	\$3,003	\$3,094	\$3,187
2 in. to 12 in.	\$2,939	\$3,764	\$3,877	\$3,994	\$4,115	\$4,239
Larger than 12 in.	\$3,673	\$4,726	\$4,868	\$5,015	\$5,167	\$5,322
Connection Containment	\$210	\$216	\$223	\$229	\$236	\$243
Connection Reinstatement	\$155	\$161	\$168	\$174	\$181	\$189

(f) *Assembling Meter Settings for Vault Meters.* Fee includes labor only.

	2024	2025	2026	2027	2028	2029
Meter Size						
1 1/2 in.	\$348	\$348	\$348	\$357	\$369	\$381
2 in.	\$348	\$348	\$348	\$357	\$369	\$381
3 in.	\$348	\$348	\$348	\$357	\$369	\$381
4 in.	\$452	\$452	\$452	\$464	\$480	\$495
6 in.	\$1,018	\$1,018	\$1,018	\$1,049	\$1,083	\$1,119
8 in.	\$1,318	\$1,318	\$1,318	\$1,357	\$1,401	\$1,448
10 in.	\$1,677	\$1,677	\$1,677	\$1,728	\$1,784	\$1,842
12 in.	\$2,037	\$2,037	\$2,037	\$2,098	\$2,166	\$2,237

(g) *Install / Replace Meters*

	2024	2025	2026	2027	2028	2029
Meter Size						
1 in. or smaller – Inside Setting	\$344	\$354	\$362	\$370	\$378	\$387
1 in. or smaller – Vault Setting	\$391	\$400	\$409	\$418	\$428	\$439
1 1/2 in. – Inside Setting	\$577	\$603	\$614	\$625	\$636	\$648
1 1/2 in. – Vault Setting	\$577	\$603	\$614	\$625	\$636	\$648
2 in.	\$646	\$659	\$670	\$681	\$692	\$704
3 in.	\$1,489	\$1,597	\$1,630	\$1,663	\$1,697	\$1,733
4 in.	\$1,561	\$1,684	\$1,717	\$1,750	\$1,784	\$1,820
6 in.	\$2,579	\$2,581	\$2,627	\$2,675	\$2,724	\$2,774
8 in.	\$2,984	\$3,231	\$3,277	\$3,325	\$3,374	\$3,424
10 in.	\$3,684	\$4,031	\$4,077	\$4,125	\$4,174	\$4,224
12 in.	\$4,829	\$5,646	\$5,692	\$5,740	\$5,789	\$5,839
2 in. Compound	\$2,189	\$2,311	\$2,357	\$2,405	\$2,454	\$2,504
3 in. Compound	\$2,154	\$2,514	\$2,557	\$2,605	\$2,654	\$2,704

4 in. Compound	\$2,744	\$2,771	\$2,817	\$2,865	\$2,914	\$2,964
6 in. Compound	\$3,504	\$3,681	\$3,727	\$3,775	\$3,824	\$3,874
8 in. Compound	\$5,029	\$5,881	\$5,927	\$5,975	\$6,024	\$6,074
10 in. Compound	\$7,705	\$9,270	\$9,316	\$9,364	\$9,413	\$9,463
12 in. Compound	\$12,402	\$15,188	\$15,234	\$15,282	\$15,331	\$15,381
Specialty meter (labor costs only – meter hardware involved at actual cost)	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
Endpoint	\$128	\$105	\$108	\$111	\$115	\$118
Transmitter Wire	\$50	\$10	\$11	\$11	\$11	\$11

(h) *Assembling Regulator Setting.* Fee includes labor for assembling setting only. Material, material delivery, excavation, sheeting, transporting the assembly, testing, installation, and restoration are the customer's responsibility.

	2024	2025	2026	2027	2028	2029
Regulator Size						
8 in.	\$1,681	\$1,726	\$1,782	\$1,839	\$1,898	\$1,959
12 in.	\$2,800	\$2,883	\$2,975	\$3,071	\$3,170	\$3,271

(i) *Regulator Controls Setup.* Fee includes labor for installation only. Excavation, sheeting, testing, and restoration are the customer's responsibility.

	2024	2025	2026	2027	2028	2029
Regulator Size						
8 in.	\$1,681	\$1,726	\$1,782	\$1,839	\$1,898	\$1,959
12 in.	\$2,800	\$2,883	\$2,975	\$3,071	\$3,170	\$3,271

(j) *Water Use from Hydrants and Other Unmetered Sources.*

	2024	2025	2026	2027	2028	2029
Permit	\$66	\$73	\$76	\$80	\$84	\$88
Volume Charge (\$/MCF/Service Area)	Charged at additional MCF rate in applicable rate district where hydrant is located					
Meter/Valve/BF Assembly Refundable Deposit	\$1,450	\$1,475	\$1,500	\$1,525	\$1,550	\$1,575
Meter Rental Fee First Week	\$48	\$53	\$56	\$59	\$62	\$65
Meter Rental Fee Each Week After	\$34	\$38	\$40	\$42	\$44	\$46

(k) *Miscellaneous Engineering Services.*

	2024	2025	2026	2027	2028	2029
Minimum (for engineering services)	\$61	\$67	\$69	\$71	\$73	\$76
Plan reviews – plan and profile drawing containing water work (per foot, 50-foot minimum)	\$1.22	\$1.33	\$1.37	\$1.42	\$1.46	\$1.51
Deposit for proper submittal of customer created As-Builts – fully refundable when approved. As-Builts received within 180 days of main going into service (per foot, 50-foot of water main minimum.)	\$10	\$10	\$10	\$10	\$10	\$10
As-Built processing fee – plan profile drawing containing water work (per foot)						
Hard or paper copy	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70	\$0.70
GIS format per CWD Standards	\$0.07	\$0.07	\$0.07	\$0.07	\$0.07	\$0.07
Backflow prevention testing fee – CWD processing fee*	\$18	\$19	\$20	\$21	\$22	\$23
Additional review due to plan change without prior approval (per hour)	\$58	\$59	\$60	\$61	\$62	\$63

* Backflow prevention testing fee – These are direct Cleveland Water Division costs for managing the backflow program. Additional fees charged by the Cleveland Water Division's backflow vendor will also be passed on charged to the customer.

(l) *Disinfection of Water Mains.**

	2024	2025	2026	2027	2028	2029
4 in.	\$0.78	\$0.81	\$0.84	\$0.87	\$0.91	\$0.95
6 in.	\$0.78	\$0.81	\$0.84	\$0.87	\$0.91	\$0.95

8 in.	\$1.02	\$1.06	\$1.10	\$1.14	\$1.18	\$1.23
10 in.	\$1.02	\$1.06	\$1.10	\$1.14	\$1.18	\$1.23
12 in.	\$1.22	\$1.27	\$1.32	\$1.37	\$1.42	\$1.47
16 in.	\$1.35	\$1.40	\$1.45	\$1.51	\$1.57	\$1.63
20 in. or greater (deposit + cost)	\$4,160	\$4,310	\$4,470	\$4,630	\$4,800	\$4,970
Service Fee**	\$480	\$500	\$520	\$540	\$560	\$580

* 1,200-foot minimum.

** Service is charged each time the disinfection crew has to set up its equipment/trip.

(m) *Meter Inspections / Meter Tests at Customer Request.*

	2024	2025	2026	2027	2028	2029
1 in. or smaller	\$135	\$135	\$135	\$138	\$143	\$147
1 ½ in. to 4 in.	\$270	\$270	\$270	\$276	\$286	\$294
Larger than 4 in.	\$540	\$540	\$540	\$552	\$572	\$588

(n) *Special Service Calls*

2024	2025	2026	2027	2028	2029
\$48	\$48	\$49	\$51	\$53	\$54

(o) *Special Service Calls – Expedited.*

2024	2025	2026	2027	2028	2029
\$96	\$96	\$99	\$102	\$105	\$109

(p) *Appointment Broken by Customer.*

2024	2025	2026	2027	2028	2029
\$42	\$43	\$44	\$45	\$46	\$47

(q) *Returned Check (per check).*

2024	2025	2026	2027	2028	2029
\$34	\$34	\$34	\$34	\$34	\$34

(r) *Tampering.*

	2024	2025	2026	2027	2028	2029
First Incident	\$250	\$250	\$250	\$250	\$250	\$250

Second Incident	\$2,300	\$2,300	\$2,300	\$2,300	\$2,300	\$2,300
Each Incident thereafter	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700

(s) Lab Testing.

	2024	2025	2026	2027	2028	2029
Bacteria Colilert – 18	\$23	\$23	\$23	\$23	\$23	\$23
Bacteria Ecoli for LT2	\$24	\$24	\$24	\$24	\$24	\$24
Halo Acetic Acids 552.2	\$151	\$151	\$151	\$151	\$151	\$151
Metals	\$112	\$112	\$112	\$112	\$112	\$112
Total Organic Carbon	\$25	\$25	\$25	\$25	\$25	\$25
Ion Chromatography *	\$63	\$100	\$100	\$100	\$100	\$100
Trihalomethanes 524.2	\$45	\$75	\$75	\$75	\$75	\$75
Total Microcystins ELISA-ADDA	\$34	\$100	\$100	\$100	\$100	\$100
Total Microcystins ELISA-ADDA follow-up sample **	\$700	\$700	\$700	\$700	\$700	\$700
Quantitative Polymerase Chain Reaction (aPCR) ***	\$250	\$250	\$250	\$250	\$250	\$250
General Wet Chemistry ****	\$50	\$50	\$50	\$50	\$50	\$50

* Includes fluoride, phosphate, bromide, chloride, nitrate, nitrite, and sulfate.

** Resample and repeat samples following a routine sample detection (price per day of sampling).

*** aPCR screening for cyanobacteria and cyanotoxin gene detection meeting Ohio EPA analytical requirements.

**** Includes pH, alkalinity, hardness, free and total chlorine residual, and turbidity.

(t) Private Fire Protection Charges.

	2024	2025	2026	2027	2028	2029
Fire Line Size						
1 1/2 in.	\$17.15	\$17.71	\$18.04	\$18.09	\$18.53	\$18.75
2 in.	\$17.15	\$17.71	\$18.04	\$18.09	\$18.53	\$18.75
3 in.	\$17.15	\$17.71	\$18.04	\$18.09	\$18.53	\$18.75
4 in.	\$46.60	\$48.13	\$49.02	\$49.15	\$50.35	\$50.96
6 in.	\$67.20	\$69.41	\$70.69	\$70.87	\$72.61	\$73.48
8 in.	\$119.95	\$123.89	\$126.18	\$126.51	\$129.60	\$131.17
10 in.	\$187.80	\$193.96	\$197.55	\$198.07	\$202.92	\$205.36
12 in.	\$256.35	\$264.76	\$269.66	\$270.36	\$276.98	\$280.32

(u) The fees and charges are effective beginning January 1 of each year.

(v) The Commissioner may enter into payment arrangements for installment payments of the fees and charges contained in this section or in Section 535.23 and 535.24 when determined to be reasonable by the Commissioner. Failure to make any payment under an arranged payment plan when due shall cause the total unpaid amount to become payable on demand and may lead to termination of water service.

Section 3. That Sections 535.04, 535.05, and 535.06, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 178-2021, passed October 25, 2021, are repealed.

Section 4. That Council waives the notice requirements contained in division (b) of Section 111.072 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 3, 2024.

Effective July 3, 2024.

Ordinance No. 447-2024**By Council Members:** Kazy and Griffin (by departmental request)

An ordinance to amend Sections 543.02 and 543.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1393-2019, passed October 25, 2021, relating to sewerage and service rates, fees and charges.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the rates, rules and regulations of the Division of Water Pollution Control, Department of Public Utilities, for sewer services, fixed by the Board of Control by Resolution No. _____, adopted _____ are approved.

Section 2. That Sections 543.02 and 543.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1393-2019, passed October 25, 2021, are amended to read as follows:

Section 543.02 Sewerage Service Rates(a) *Monthly Sewerage Service Rates.*

	2024	2025	2026	2027	2028	2029
Usage Rates (Per 1 MCF)						
Regular	\$16.97	\$18.41	\$20.62	\$23.09	\$25.86	\$28.96
Homestead	\$10.06	\$10.92	\$12.23	\$13.70	\$15.34	\$17.18

Usage charges are not prorated. The charge used will correspond with the bill period end date.

(b) *Monthly Fixed Charge Based Upon Meter Size.*

	2024	2025	2026	2027	2028	2029
Monthly Fixed Charges						
5/8 in. to 1 in. Meter	\$8.90	\$9.65	\$9.90	\$9.90	\$9.90	\$9.90
1-1/2 to 2 in. Meter	\$27.15	\$29.45	\$30.20	\$30.20	\$30.20	\$30.20
3 in. to 4 in. Meter	\$69.25	\$75.15	\$77.05	\$77.05	\$77.05	\$77.05
6 in. Meter	\$128.60	\$139.55	\$143.05	\$143.05	\$143.05	\$143.05
8 in. to 10 in. Meter	\$182.90	\$198.45	\$203.40	\$203.40	\$203.40	\$203.40
12 in. Meter	\$271.90	\$295.00	\$302.40	\$302.40	\$302.40	\$302.40

Homestead	\$5.35	\$5.80	\$5.95	\$5.95	\$5.95	\$5.95
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If a meter size is not listed above, the customer will be charged the rate for the next meter size up.

Fixed charges are not prorated. The charge used will correspond with the bill period end date.

(c) *Affordability Programs.* Special homestead and affordability program rates for customers will follow the same rules and requirements as set forth in Section 535.05 for the Division of Water.

(d) The rates in this section are effective beginning January 1 of each year.

Section 543.03 Sewerage Service Fees and Charges

(a) *WPC Ancillary Fees and Charges.*

	2024	2025	2026	2027	2028	2029
Fee Description						
Lay Permit	\$763	\$763	\$763	\$763	\$763	\$763
Extend Permit	\$858	\$858	\$863	\$892	\$922	\$952
Repair Permit	\$406	\$578	\$597	\$617	\$638	\$659
Bulkhead Permit	\$114	\$114	\$114	\$114	\$114	\$114
Miscellaneous Sewer Permit	\$165	\$165	\$165	\$165	\$165	\$165
Re-Inspection Fee	\$393	\$425	\$440	\$455	\$470	\$485
Engineering plan copies (\$/copy)	\$1.45	\$1.51	\$1.56	\$1.62	\$1.67	\$1.73
Plan Review						
New Main Sewer (\$/foot)	\$2.10	\$2.20	\$2.25	\$2.35	\$2.45	\$2.55
Other Reviews (\$/hr)	\$126	\$138	\$142	\$147	\$152	\$157
Residential Parcel (\$/parcel)	\$66	\$66	\$68	\$70	\$73	\$75
Commercial Parcel (\$/parcel)	\$133	\$133	\$136	\$141	\$145	\$150
Stormwater						
Less than 1 acre	\$379	\$414	\$428	\$442	\$457	\$472
1-5 acres	\$570	\$621	\$642	\$664	\$686	\$709
6-10 acres	\$1,140	\$1,172	\$1,211	\$1,252	\$1,294	\$1,337
More than 10 acres	\$1,147	\$1,448	\$1,497	\$1,548	\$1,599	\$1,652

New Main Sewer Inspection Fee (\$/hr)	\$143	\$155	\$160	\$166	\$171	\$177
Locate sewer connection by video (per request)	\$711	\$745	\$770	\$796	\$823	\$850
Temporary Sanitary Discharge Permit	---	\$858	\$863	\$892	\$922	\$952
Temporary Storm Discharge Permit	---	\$414	\$428	\$442	\$457	\$472

(b) The fees and charges in this section are effective beginning January 1 of each year.

Section 3. That existing Sections 543.02 and 543.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1393-2019, passed October 25, 2021, are repealed.

Section 4. That Council waives the notice requirements contained in division (b) of Section 111.072 of the Codified Ordinances of Cleveland, Ohio, 1976.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 3, 2024.

Effective July 3, 2024.

Ordinance No. 469-2024

By Council Members: Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Little Italy Redevelopment Corporation to encroach into the public right-of-way of Random Road by installing and maintaining a “Guardians of Traffic” Ohio Historical Marker.

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 Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Little Italy Redevelopment Corporation, located at 12018 Mayfield Road, Cleveland, Ohio 44106 (“Permittee”) to encroach into the public right-of-way of Random Road by installing and maintaining a “Guardians of Traffic” Ohio Historical Marker that would sit on a pole, with a foundation at the following location:

Located in front of 2100 Random Road, Cleveland, Ohio 44106 in the tree lawn. The area of the encroachment is 48 ½” x 46”.

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City’s Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

Section 5. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 470-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to enter into a ground lease with SureWx, Inc. for the use and occupancy of property located at 5300 Riverside Drive of Cleveland Hopkins International Airport to install a weather station, for a period of five years, with two five-year options to renew, exercisable by the Director of Port Control.

WHEREAS, the City of Cleveland owns certain property located at 5300 Riverside Drive of Cleveland Hopkins International Airport which is not needed for the City's public use; and

WHEREAS, SureWx, Inc., has proposed to lease the property from the City to install a weather station; and

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 Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Little Italy Redevelopment Corporation, located at 12018 Mayfield Road, Cleveland, Ohio 44106 ("Permittee") to encroach into the public right-of-way of Random Road by installing and maintaining a "Guardians of Traffic" Ohio Historical Marker that would sit on a pole, with a foundation at the following location:

Located in front of 2100 Random Road, Cleveland, Ohio 44106 in the tree lawn. The area of the encroachment is 48 1/2" x 46".

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

Section 5. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 474-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to lease certain property located at 1201 North Marginal Road to the Cleveland Coordinating Committee for the Cod, Inc. for the purpose of operating a submarine museum and memorial, for a term of two years, with three one-year options to renew, exercisable by the Director of Port Control.

WHEREAS, the City of Cleveland owns certain property known as 1201 North Marginal Road, which is suitable for lease by another party for a public use; and

WHEREAS, the Cleveland Coordinating Committee for the Cod, Inc. (“the Lessee”) has proposed to lease the property from the City for the purpose of operating a submarine museum and memorial; and

WHEREAS, this Council finds that the lease of the real estate is in conformity with the provisions of Charter Section 45; and

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 notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, and at the direction of the Board of Control, the Director of Port Control is authorized to lease to Lessee certain property more fully described as 0.64 acres of land in the City of Cleveland located at 1201 North Marginal Road, which is suitable for lease by another party for a public use for operation of a submarine museum and memorial.

Section 2. That the term of the lease authorized by this ordinance shall not exceed two years, with three one-year options to renew, exercised by the Director of Port Control.

Section 3. That the property authorized by this ordinance shall be leased at \$1.00 annually and other valuable consideration, determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and

certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 475-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Wargo Law, LLC, for the lease of space in the Terminal Building at Burke Lakefront Airport for operating a law firm, for a period of one year, with three one-year options to renew, exercisable by the Director of Port Control.

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, at the direction of the Board of Control, the Director of Port Control is authorized to enter into a Lease Agreement (“Lease”) with Wargo Law, LLC (“Lessee”) for use and occupancy of approximately 491 square feet of office space located in the Terminal Building Room 182 at Burke Lakefront Airport (“Leased Premises”) for operating a law firm.

Section 2. The term of the Lease shall be for a one-year period, with three one-year options to renew, exercisable by the Director of Port Control.

Section 3. That the per annum rental rate shall be at an initial rental rate based on an independent third-party appraisal and for each year after the initial term on the effective date of the Lease, the rental rate shall be adjusted based on the United States Department of Labor, Consumer Price Index: “All Urban Wage Earners and Clerical Workers”; however, never lower than the rate during the initial term.

Section 4. That the Lease may authorize Lessee to make improvements to the Leased Premises subject to approval of the Director of Port Control and appropriate City agencies and officials.

Section 5. That the Director of Port Control, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates and may take any other actions that may be necessary or appropriate to implement this ordinance.

Section 6. That the Lease authorized shall be prepared by the Director of Law.

Section 7. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 476-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to maintain, manage, secure, and promote City-owned properties at the North Coast Harbor and to fulfill the Common Area Maintenance Agreement with the stakeholders of North Coast Harbor, for a period of one year, with three one-year options to renew, exercisable by the Director of Port Control and through additional legislative authority.

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 Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to maintain, manage, secure, and promote City-owned properties at the North Coast Harbor and to fulfill the Common Area Maintenance Agreement with the stakeholders of North Coast Harbor, for a period of one year, with three one-year options to renew, exercisable by the Director of Port Control and through additional legislative authority.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund No. 10 SF 113. (RQS 3002, RLA 2024-46)

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 479-2024

By Council Members: Kazy and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide website hosting services, upgrades and/or enhancements as needed, including maintenance, for a period of three years, with two one-year options to renew, exercisable by the Director of Public Utilities.

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 Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide website hosting services, upgrades and/or enhancements as needed, including maintenance, for a period of three years, with two one-year options to renew, exercisable by the Director of Public Utilities.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001. (RQS 2002, RL 2024-46)

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 480-2024

By Council Members: Kazy and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Northcoast Process Controls, Inc. for proprietary valves, actuators, appurtenances, and other components of the valve actuator systems, and labor and materials needed to repair, replace, maintain, exercise, inspect, and test existing equipment, and to provide related services, for the Division of Water, Department of Public Utilities, for a period not to exceed two years.

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 this Council determines that the within commodities and services are non-competitive and cannot be secured from any source other than Northcoast Process Controls, Inc. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with Northcoast Process Controls, Inc., on the basis of its proposal dated March 16, 2024, for the requirements for a period not to exceed two years of the necessary items of proprietary valves, actuators, appurtenances, and other components of the valve actuator systems, and labor and materials needed to repair, replace, maintain, exercise, inspect, and test existing equipment, and to provide related services, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Water, Department of Public Utilities.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2024-12)

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 481-2024

By Council Members: Kazy and Griffin (by departmental request)

An emergency ordinance authorizing the purchase by one or more requirement contracts various types of machines, equipment, and repair parts for the Divisions of Water, Cleveland Public Power and Water Pollution Control of the Department of Public Utilities, for a period up to two years.

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 Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two (2) years, for the purchase of various types of machines, equipment, and repair parts needed to repair and/or replace machines and equipment, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Divisions of Water, Cleveland Public Power and Water Pollution Control of the Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the cost of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 2002, RL 2024-15)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 482-2024

By Council Members: McCormack, Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Cleveland LD, LLC, and/or its affiliates and designees, for the purpose of entering the chain of title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code.

WHEREAS, in accordance with the City’s urban redevelopment activities and the Master Development Agreement between the City of Cleveland, Ohio (the “City”) and Cleveland LD, LLC (the “Developer”) dated November 3, 2023, a copy of which is placed in File No. 482-2024-A, the City desires to acquire certain parcels of property in Cleveland’s Downtown and Riverfront areas as more particularly identified in this ordinance (the “Parcels” and each a “Parcel”) owned by Developer, and/or its affiliates and designees identified and placed in the above mentioned file (the “Owners” and each an “Owner”), and reconvey each Parcel back to its respective Owner, for the purpose of entering the chain of title prior to the adoption of one or more tax increment financing ordinances authorized under Section 5709.41 (the “Project .41 TIF Ordinances” and each a “Project .41 TIF Ordinance”); and

WHEREAS, the Developer anticipates that one or more of the Parcels may be split or combined prior to becoming part of a Project .41 TIF Ordinance; and

WHEREAS, the City and Developer will work in collaboration to identify in the Project .41 TIF Ordinances any new parcels resulting from a split or combination of the Parcels and confirming City to have duly entered the chain of title for any and all said parcels; and

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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire from and re-convey to the Owners, for a nominal consideration of one dollar and other valuable consideration which is determined to be fair market value, the following Parcels for the purpose of entering into the chain-of-title prior to the adoption of one or more Project .41 TIF Ordinances: 101-20-023, 101-21-002, 101-23-050A, 101-23-050J, 101-23-052M, 101-23-072A, 101-23-072B, 101-23-072C, 101-23-072D, 101-23-072E, 101-23-072F, 101-23-072G, 101-23-072H, 101-23-072I, 101-23-072J, 101-23-072M, 101-23-085A, 101-23-085B, 101-23-085C, 101-23-085D, 101-23-085E, 101-23-085G, 101-23-085H, 101-23-085I, 101-23-100A, 101-23-100B, 101-23-100C, 101-23-100E, 101-23-

100F, 101-23-100H, 101-23-100I, 101-23-100J, 101-23-100K, 101-23-100L, 101-23-100M, 101-23-100N, 101-23-100P, 101-23-100Q, 101-23-100S, 101-23-101F, 101-23-102F, 101-23-103F, 101-23-104F, 101-23-105F, 101-23-106F, 101-23-107F, 101-23-108F, 101-23-174A, 101-24-001B, 101-24-002C, 101-24-003B, 101-24-006, 101-24-007, 101-24-008, 101-30-001, 101-30-002, 101-30-003, 122-18-010, and 122-18-011, which are more fully described by their legal descriptions added to the above-mention file.

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the Parcels and to employ and to cause Cleveland LD, LLC, or one or more of its designees, to pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the Parcels.

Section 3. That this Council finds the conveyances comply with Section 5709.41(B)(1) of the Revised Code and the proposed improvements constitute and are declared a public purpose under said section.

Section 4. That through the City's acquisition of the Parcels and the City's re-conveyance of the Parcels to the Owners, the City is engaged in urban redevelopment.

Section 5. That the conveyances shall be made by official deeds prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland.

Section 6. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 522-2024

By Council Members: Conwell, Bishop and Griffin (by departmental request)

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 559.248 relating to the creation of the Colombian Cultural Garden at 1325 Martin Luther King, Jr. Boulevard.

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 559.248 to read as follows:

Section 559.248 Colombian Cultural Garden

Commencing for Reference at a Stone with Drill Hole in a Monument Box found at the centerline intersection of Wade Park Avenue (70 feet wide) and East 105th Street (60 feet wide), (a Stone with a Drill Hole in a Monument Box was found South 89°-07'-14" West along the centerline of Wade Park Avenue, a distance of 1,763.30 feet); Thence South 89°-07'-14" West along the centerline of Wade Park Avenue, a distance of 947.14 feet to a point; Thence North 00°-52'-46" West, a distance of 1,587.51 feet to an iron pin set, and being the TRUE PLACE OF BEGINNING of the area herein to be described;

Course No. 1: thence, Northwest following the arc of a curve to the left, having a delta of 23°-50'-36", a radius of 569.00 feet, a tangent of 120.13 feet, a chord of 235.08 feet, a chord bearing of North 60°-52'-37" West, and a arc distance of 236.79 feet to an iron pin set;

Course No. 2: thence, North 12°-47'-57" East, a distance of 125.00 feet to an iron pin set;

Course No. 3: thence, Southeast following the arc of a curve to the right, having a delta of 93°-24'-45", a radius of 212.00 feet, a tangent of 225.02 feet, a chord of 308.61 feet, a chord bearing of South 60°-12'-20" East, and a arc distance of 345.64 feet to a iron pin set;

Course No. 4: thence, South 47°-21'-50" West, a distance of 122.51 feet to the place of beginning, and containing 1.019 acres of land, more or less, as prepared in October 2020 by *McSteen & Associates, Inc.* under Project No. 20-135, and being subject to all legal highways and easements of record.

Section 2. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 523-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Lease Agreement No. CT3001 LS 2022-0011 with MarKenCami, LLC for the lease of office space at Burke Lakefront Airport for the operation of a software company.

WHEREAS, under the authority of Ordinance No. 917-18, passed October 8, 2018, the Director of Port Control entered into Lease Agreement No. CT3001 LS 2022-0011 with MarKenCami, LLC for the lease of office space at Burke Lakefront Airport for the operation of a software company; and

WHEREAS, Ordinance No. 917-18 requires additional legislation to exercise the first option to renew; and

WHEREAS, for the use of the leased premises, MarKenCami, LLC shall pay the City an annual fee as specified in the agreement; and

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 Director of Port Control is authorized to exercise the first option to renew Lease Agreement No. CT 3001 LS 2022-0011 with MarKenCami, LLC for the lease of office space at Burke Lakefront Airport for the operation of a software company. This ordinance constitutes the additional legislative authority required by Ordinance No. 917-18 to exercise this option.

Section 2. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 524-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Lease Agreement No. CT 3001 LS 2024-06 with MarKenCami, LLC to increase the leased premises located at Burke Lakefront Airport.

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 Director of Port Control is authorized to enter into an amendment to Lease Agreement No. CT 3001 LS 2024-06 (“Lease Agreement”) with MarKenCami, LLC, to increase the leased premises in the terminal of Burke Lakefront Airport by adding approximately 178 square feet of certain space to the lease for a total of 1,947 square feet. The rent for the additional square footage shall be the same as the per square foot rate in the Lease Agreement. All other terms and conditions of the Lease Agreement shall remain the same.

Section 2. That the amendment to the Lease Agreement authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 526-2024

By Council Members: Kazy and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide general training and development of employees; and to enter into a contract with the Operator Training Committee of Ohio, each for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.

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 Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the general training and development of employees, for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts with the Operator Training Committee of Ohio for professional services necessary to train Water, Wastewater Collections, and Water Distribution employees, on the basis of its proposal dated January 24, 2024, for the Department of Public Utilities, for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.

Section 3. That the Director of Public Utilities is authorized to apply for and accept one or more grants or gifts from any public or private entity to implement this ordinance; that the Director is authorized to file all papers and execute all documents necessary to receive the funds and that the funds are appropriated for the purposes described in this ordinance.

Section 4. That the cost of the contract or contracts authorized shall be paid from Fund Nos. 50 SF 001, 50 SF 003, 52 SF 001, 54 SF 001, 58 SF 001 and from the fund or

funds to which are credited the proceeds from any grant or gift accepted under this ordinance. (RQS 2002, RL 2024-36)

Section 5. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 527-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the purchase by one or more contracts of blast resistant trash receptacles for Cleveland Hopkins International Airport, for the Department of Port Control.

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 Director of Port Control is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: blast resistant trash receptacles to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Department of Port Control.

Section 2. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the contract or contracts shall not exceed \$217,000 and shall be paid from Fund Nos. 60 SF 001 and 60 SF 141. (RQS 3001, RL 2024-53)

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 529-2024

By Council Members: Hairston and Griffin (by departmental request)

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 347.191; and to amend Sections 343.01, 343.11 and 345.02, as amended by various ordinances, relating to adult use marijuana.

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 347.191, to read as follows:

Section 347.191 State-licensed Adult Use Marijuana Cultivators, Processors, Retail Dispensaries and Testing Laboratories

(a) *Purpose.* This section regulates the location and separation of state-licensed adult use marijuana cultivators, processors, retail dispensaries, and testing laboratories in order to protect the public health and safety and to protect the character of residential areas. This section complies with RC 3780.07 and RC 3780.25 and does not intend to impair the use of state-licensed adult use cannabis operators.

(b) *Definitions.*

(1) As used in this section and in this Zoning Code, the following terms shall have the same meaning as in RC 3780.01: “adult use cannabis operator,” “adult use cultivator,” “adult use dispensary,” “adult use processor,” “adult use testing laboratory,” and “level III adult use cultivator.”

(2) As used in this section,

A. “Division” shall mean the Division of Cannabis Control of Ohio’s Department of Commerce.

B. “State university” and “academic medical center” shall have the same meanings as in RC 3796.01.

(c) *Location.* Where permitted in a particular use district, no state licensed adult cannabis operator or adult use testing laboratory shall be located or relocated within five hundred (500) feet of the end boundaries of a parcel of real estate having situated on it a church, public library, public playground, public park, or school. This requirement does not apply to (i) research related to adult use cannabis conducted at a state university, academic medical center, or a private or public research and development organization as part of a research protocol approved by an institutional review board or equivalent

entity, or any other entity as approved by the Division, or (ii) the other exceptions provided in divisions (B) through (D) of RC 3780.07. (ORC Section 3780.07)

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

Section 343.01, as amended by Ordinance No. 729-09, passed July 1, 2009, and

Sections 343.11 and 345.02, as amended by Ordinance No. 1009-17, passed October 31, 2017,

are amended to read as follows:

Section 343.01 Local Retail Business District

(a) “Local Retail District” means a business district in which such uses are permitted as are normally required for the daily local retail business needs of the residents of the locality only.

(b) Permitted Buildings and Uses. The following buildings and uses are permitted in a Local Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one (1) or more of the following specified uses:

(1) Except as otherwise provided in this Zoning Code, all uses permitted in the Multi-Family District and as regulated in that district, except that “kindergartens, day nurseries and children’s boarding homes” shall be permitted without the requirement for a specified setback from an adjoining premises in a Residence District not used for a similar purpose;

(2) Retail business for local or neighborhood needs to the following limited extent:

A. The sale of baked goods, confectionery, dairy products, delicatessen, fruits, vegetables, groceries, meats;

B. The sale of dry goods and variety merchandise, excluding department stores;

C. The sale of men’s and boy’s furnishings, shoes, hats, women’s ready-to-wear, furs, millinery, apparel, accessories;

D. The sale of china, floor covering, hardware, household appliances, radios, paint, wallpaper, materials and objects for interior decorating;

E. The sale of books, magazines and newspapers, including adult book stores subject to Section 347.07, cigars, drugs, flowers, gifts, music, photographic goods, sporting goods, stationery;

F. Eating places, lunch rooms, restaurants, cafeterias and places for the sale and consumption of soft drinks, juices, ice cream and beverages, but excluding buildings which provide entertainment or dancing and buildings in which beer and intoxicating liquor are sold for consumption on the premises, provided such building for the sale of beer or intoxicating liquor is within five hundred (500) feet of the boundary of a parcel of real estate having situated thereon a school, church, library, nonprofit recreational or community center building or public playground;

G. Service establishments: barber or beauty shops, custom tailors, laundry agencies, self- service laundries, hand laundries, shoe repair, ice stations and dry cleaning, pressing or tailoring shops in which not more than five (5) persons are engaged in such work or business at any one time, and in which only nonexplosive and nonflammable solvents are used and no work is done on the premises for retail outlets elsewhere and pet shops, provided noise and odors are effectively confined to the premises. As used in this division (b)(2)G., "pet shops" does not include businesses which board dogs and cats overnight or any pet hospital.

(3) Business offices: banks, real estate, insurance and other similar offices, and the offices of the architectural, clerical, engineering, legal, dental, medical or other established recognized professional, but excluding morticians, undertakers and funeral directors, in which only such personnel are employed as are customarily required for the practice of such business or profession;

(4) Automotive services: public parking garages and parking lots;

(5) Charitable institutions not for correctional purposes;

(6) Signs: permitted in accordance with the requirements of Chapter 350;

(7) Other main uses: any other neighborhood store, shop or service similar to the uses listed in this division in type of goods or services sold, in business hours, in the number of persons or cars to be attracted to the premises and in effect upon the adjoining Residence Districts;

(8) Accessory uses, only to the extent necessary normally accessory to the limited types of neighborhood service use permitted under this division.

(9) State-licensed medical marijuana retail dispensary or adult use dispensary, as defined in and subject to Section 347.19 or Section 347.191 of this Code.

Section 343.11 General Retail Business Districts

(a) “General retail business” means an enterprise for profit for the convenience and service of, and dealing directly with, and accessible to, the ultimate consumer; neither injurious to adjacent premises or to the occupants thereof by reason of the emission of cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibrations; nor dangerous to life or property. It includes buildings or spaces necessary to a permitted use for making or storing articles to be sold at retail on the premises. Except as provided in division (b) of this section, it does not include any establishment which supplies a retail outlet other than that on the premises, or any building or use specifically mentioned as permitted only in a Semi-Industry or Industry District.

(b) Permitted Buildings and Uses. The following buildings and uses are permitted in a General Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one (1) or more of the following specified uses:

(1) Except as otherwise provided in this Zoning Code, all uses permitted and as regulated in any Local Retail Business District;

(2) All retail business uses and buildings specified in division (b) of Section 343.01, and uses and buildings to provide for:

A. The sale of food and beverages of all kinds, including sale for consumption on the premises;

B. The sale of general merchandise, including sale in department stores;

C. The sale of apparel of all kinds;

D. The sale of furniture and household goods, including furniture and accessory furniture storage;

E. The sale of other goods or merchandise;

F. Eating places of all types;

G. Service establishments: service establishments permitted in a Local Retail Business District without limitation on the number of persons engaged in such work or business; mortuary or undertaking establishment; printing shop, provided not more than five (5) persons are engaged in such work or business; research laboratory, radio or television station, telephone exchange or transformer station, provided all buildings and structures except fences and barriers are located not less than fifteen (15) feet from a Residence District; hospital, sanitarium, convalescent home, rest home, nursing home, orphanage or home for the infirm or aged, provided that all main buildings are not less than fifteen (15) feet

from any adjoining premises in a Residence District not used for a similar purpose; cat and dog hospital or pet shop, provided noise and odors are effectively confined to the premises;

H. Business offices and services: in addition to the uses permitted in Local Retail Districts, office buildings, banks, business colleges, private trade schools;

I. Automotive services: in addition to the uses permitted in Local Retail Districts:

1. Motor vehicle service station, as defined in Section 325.486, and meeting the provisions of Section 343.14;
2. Car wash, as defined in Section 325.111, and meeting the provisions of Section 343.14;
3. Motor vehicle service garage, as defined in Section 325.487, and meeting the provisions of Section 343.14;
4. Motor vehicle sales facility, as defined in Section 325.485, except for vehicles exceeding six thousand (6,000) pounds of gross vehicle weight.

J. House trailer or travel trailer park, as defined in RC 3733.01, when approved by the Board of Zoning Appeals after public hearing, and when used and maintained in conformity with any conditions specified in such approval;

K. Signs: signs permitted in accordance with the requirements of Chapter 350;

L. Amusement and recreation: armory, assembly hall, bowling alley, dance hall, video and pinball arcade, pool and billiards theater, skating rink or other social, sport or recreational center operated as a business, all such uses subject to the regulations of Section 347.12 and adult entertainment uses, subject to Section 347.07, provided that the place or building in which any such amusement or recreation use is operated is sufficiently sound-insulated to confine the noise to the premises;

M. Transportation services: railroad station; public service station; bus passenger station; bus terminal, provided the roadway of the street upon which the bus entrance or exit is located is at least forty-four (44) feet wide between curbs;

N. Office, display or sales space of a wholesale, jobbing or distributing establishment and specifically mentioned as permitted only in a less

restricted district, in connection with which not more than twenty-five percent (25%) of the floor area of the building or part of the building occupied by the establishment is used for making, assembling, remodeling, repairing, altering, finishing or refinishing its products or merchandise and provided that:

1. Any resulting cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibration is effectively confined to the premises;
2. The ground floor premises facing upon and visible from a major street upon which the premises abut shall be used only for entrances, offices or display;
3. Adequate off-street loading and unloading facilities are provided and so designed that any standing vehicles using them shall be within the property lines and be either not visible from streets within Retail Business, Local Retail Business or Residence District, or not nearer than fifty (50) feet to such streets.

O. Retail poultry business: either as a main use or as an accessory use, including the storing and killing of poultry or game to be sold entirely at retail upon the premises and directly to the ultimate consumer, provided that the enterprise is conducted in strict compliance with all applicable statutes, laws, rules and regulations, including those requiring rat-proofing, and that adjacent premises or the occupants thereof are not injured by reason of the emission of dust, odor, smoke or noise or the accumulation of refuse or offal, and provided further that the buildings in which the killing, storing and selling are done are either detached masonry structures or part of a masonry building used entirely for the handling of poultry and/or game.

1. A detached masonry structure used for slaughtering or for storing of live poultry shall have not less than one hundred (100) square feet of floor area and shall be located at least ten (10) feet from any other building or part thereof on the same lot which is used for human habitation, or as a place where other food is prepared, placed, kept or sold.
2. Where the slaughtering room is part of a masonry building used entirely for the handling of poultry and/or game, such slaughtering room shall be separated from the sales or storage room by a solid masonry wall in which there may be only one (1) opening not greater than four (4) square feet in size, located not less than four (4) feet above the floors of both rooms, equipped with either a self-closing window or self-closing door. Such slaughtering room shall be entered only from outside the building.

3. In either case, such slaughtering room shall be used only for killing, flicking and dressing and shall be not less than twenty- five (25) feet from the boundary of the premises upon which it is located. All offal and refuse must be kept in covered containers within such slaughtering room until removed from the premises.

Such slaughtering room and every building, room or space used for storage or sale of poultry or game in connection therewith shall be not less than three hundred (300) feet from any Residence District, church, school, playground, library or building of Institutional H Occupancy classification.

P. Tattooing and body piercing. As used in this division:

1. "Body Piercing" means the piercing of any part of the body by someone other than a physician licensed under RC Chapter 4731, who utilizes a needle or other instrument for the purpose of inserting an object into the body for non-medical purposes; body piercing includes ear piercing except when the ear piercing procedure is performed on the ear with an ear piercing gun.
2. "Tattoo" means any method utilizing needles or other instruments by someone other than a physician licensed under RC Chapter 4731, to permanently place designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink or any other substance resulting in an alteration of the appearance of the skin.

Q. Kennels, either as a main use or an accessory use, provided that all odors, fumes, and noise be confined to the premises and the lot upon which the kennel is located is greater than one hundred (100) feet from a residence district.

1. Notwithstanding division (d)(3) of Section 329.03, the Board, on application for a use variance, may permit a Kennel in any use district.
2. The limitations stated in divisions (b) and (c) of Section 329.03 shall not apply when deciding whether to issue a use variance for a Kennel, the Board shall evaluate the applicant Kennel's probable impact on the overall tranquility of the surrounding properties by considering all odors, noises, and fumes that will emanate from the lot on which the applicant Kennel is located.

R. Any other building, use or service similar to the uses herein listed in the type of services or goods sold, in the number of persons or cars to be attracted to the premises or in the effect upon adjacent areas in more restricted use districts.

S. Any accessory use customarily incident to a use authorized by this section, except that no use specified in divisions (b) and (c) of Section 345.04 as prohibited or permitted only by special permit in a General Industry District shall be permitted as an accessory use.

T. Hookah lounge: any facility, establishment or location with patron seating or that is classified or seeks classification as an assembly use as defined in the Ohio Building Code whose business operation includes the smoking of tobacco or any organic or synthetic material, including but not limited to plants, herbs or tobacco, through one or more hookah pipes (also commonly referred to as a hookah, waterpipe, shisha or narghile), including but not limited to establishments known variously as hookah bars, hookah lounges, or hookah cafes that are exempt from the Smoke Free Workplace Act under RC 3794.03.

U. Vapor lounge: any facility, establishment or location, whether fixed or mobile, with patron seating or that is classified or seeks classification as an assembly use as defined in the Ohio Building Code whose business operation includes the utilization of a heating element that vaporizes a substance that releases nicotine, tobacco, flavored vapor, or vapor or fumes from any other organic or synthetic material including but not limited to plants, herbs or tobacco, through one or more electronic or battery operated delivery device, including any device known as an electronic cigarette (also commonly referred to as e-cig, e-cigarette, e-pipe, electronic cigarillo, hookah pen, vape pen, vape pipe or any other electronic cigarette product), including but not limited to establishments known variously as vape bars, vape lounges, e-cigarette bars or vape cafes.

(3) Hotels;

(4) Motels;

(5) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15; and notwithstanding any Section of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Cuyahoga County Youth Intervention Center, providing temporary detention and shelter for juveniles, to be located at East 93rd Street, and Quincy Avenue.

Section 345.02 Permitted Buildings and Uses in Residence-Industry District

Within any Residence-Industry District no building or premises shall be erected, altered, used, arranged or designated to be used, in whole or in part for other than one (1) or more of the following specified uses, provided that:

- (a) All resulting cinders, dust, flashing, fumes, gases, noises, odors, refuse matter, smoke, vapors and vibrations are effectively confined to the premises;
- (b) All materials are stored inside buildings;
- (c) Setback building lines to the same extent as required in this Zoning Code for Residence Districts are observed on any street on which the Residence- Industry District adjoins a Residence District, and suitable planting is maintained in the setback area. Side yards and rear yards not less than twenty-five (25) feet are provided at lot lines which are also boundary lines of Residence Districts or of lots used for residences in a Local Retail Business District or Shopping Center district. A chain link fence not less than six (6) feet high is constructed on lot lines which are also boundary lines of Residence districts or of lots used for residences in a Local Retail Business District or Shopping Center District;
- (d) There are adequate off-street loading and unloading facilities so designed that any standing vehicle using them is within the property lines and is either not visible from streets or not nearer than fifty (50) feet to streets;
- (e) There is adequate off-street car parking for the employees, owners and others coming to the premises on matters incidental to the uses thereof, and adequate off-street parking of trucks in space so located as not to be visible from the streets or not nearer than fifty (50) feet to streets;
- (f) Entrance and exit to any building or premises are from a street designated as a major thoroughfare on the general plan adopted by the City Planning Commission or, if the premises in question does not abut such street, then from any street approved by the Board of Zoning Appeals if it finds the probable volume and type of traffic to such premises will not change materially the existing character of such streets nor be detrimental to the adjoining or adjacent residential area;
- (g) In the case of nonresidential use, trucking operations are not conducted evenings, nights, Sundays nor on holidays generally observed by business and single-shift industry:
 - (1) Any use permitted in a Multi-Family District;
 - (2) Office buildings, loft buildings, telephone exchanges, transformer stations, research laboratories;
 - (3) Retail tin shops and furnace shops, retail plumbing shops, and plumbing supply shops, signs, display or decorating shops, printing shops;
 - (4) The following uses if located not less than one hundred (100) feet from a Residence district: repair garage for repair or painting of motor vehicles, creamery, milk bottling or milk distributing stations;

(5) Operation of any internal combustion engines in connection with any use permitted in the District, provided such engines are equipped and operated only with an effective muffling device;

(6) Carpet cleaning, dry cleaning or dyeing, laundries, cold storage plants, bottling works, ice plants, ice cream plants, cigar factories;

(7) Wholesale, jobbing, distributing or warehouse establishments for such materials as cotton, wool, clothing, fabrics, furniture, hardware, ice, leather, metals other than scrap or junk metals, rubber, shop and store supplies, including the making, assembling, remodeling, repairing, altering, finishing or refinishing of these products or merchandise, provided the processes used comply with the limitations specified in this section;

(8) Machine shops in which only lathes, drill presses, hydraulic presses, shavers, milling machines, planers, grinders and similar tools are used, and no hammering, rolling, spinning, heat treating by other than induction processes or riveting is done and no forges, metal saws other than automatic hack saws, heavy shears, multiple spindle automatic screw machines or other noise or vibration-producing tools or machines are operated;

(9) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15;

(10) Hospitals, sanitariums, nursing, rest or convalescent homes;

(11) State-licensed medical marijuana cultivator, adult use cultivator, or level III adult use cultivator as defined in and subject to Section 347.19 or Section 347.191 of this Code;

(12) State-licensed medical or adult use marijuana processor, as defined in and subject to Section 347.19 or Section 347.191 of this Code;

(13) Any other building or use similar in character and operation and in effect on conforming uses in adjoining more restricted use districts as the buildings or uses herein permitted.

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

Section 343.01, as amended by Ordinance No. 729-09, passed July 1, 2009, and

Sections 343.11 and 345.02, as amended by Ordinance No. 1009-17, passed October 31, 2017,

are repealed.

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

Passed June 3, 2024.

Effective July 3, 2024.

Ordinance No. 542-2024

By Council Members: McCormack, Bishop and Griffin (by departmental request)

An emergency ordinance to amend the title, the first and second whereas clauses, and Sections 1, 2, 3, and 4 of Ordinance No. 532-2023, passed May 15, 2023; and to add two additional whereas clauses and new Sections 1a, 3a and 3b, relating to the improvement for the West Side Market and to authorize, as an alternative, grant agreements with Cleveland Public Market Corporation, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of the improvement through the grant agreements.

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 title, the first and second whereas clauses, and Sections 1, 2, 3, and 4 of Ordinance No. 532-2023, passed May 15, 2023, are amended to read as follows:

An Emergency Ordinance determining the method of making the public improvements of constructing basement, roof, façade, HVAC, and electrical improvements to the West Side Market; authorizing the Director of Capital Projects to enter into one or more contracts with Cleveland Public Market Corporation (“CPMC”), for the making of the improvement; and to apply for and accept any gifts, grants or services from any public or private entity, or as an alternative to the public improvement, authorizing the Director of Public Works, Community Development, or appropriate Director, to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of the improvement through the grant agreements.

WHEREAS, there is a developed concept and there are established goals (the “Masterplan”) for the West Side Market (the “Market”), which have been prepared by leading public market experts and reviewed by the West Side Market committee, comprised of merchants, City officials, and stakeholders, to maximize the functionality and revenue-generating potential of the Market; and

WHEREAS, the unique design, time, budgetary, or other material requirements of this project may benefit from the special care, coordination, and expeditiousness possible by combining the performance of both the professional design services and the construction under a design-build contract with a single entity with operational control of the Market; and

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make various public improvements to the Market to enable the Masterplan to be carried out through various improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Design-Build Public Improvement”), for the Department of Public Works and/or the Office of Capital Projects, under one or more designobuild agreements with CPMC, obtaining the best proposal, taking into consideration the engineering and design, the construction method(s), the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional(s) and construction firm(s), and the other objectives of the Design-Build Public Improvement.

Section 2. That, as necessary, the Director of Capital Projects, Public Works, and/or Community Development, as appropriate, are authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 3. That the Director of Capital Projects, Public Works, and/or Community Development, as appropriate, are authorized to apply for and accept any gifts, grants, or services to implement this ordinance from any public or private entity; and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive any gift, grant funds or services; and that any funds received are appropriated for the purposes described in this ordinance.

Section 4. That the total cost of the Improvement authorized in Sections 1 and 1a and Section 3a of this ordinance shall not exceed Ten-Million Dollars (\$10,000,000.00) and shall be paid from Fund No. 10 SF 400, and from the fund or funds to which are credited any gift or grant funds accepted under this ordinance. (RQS 0103, RL 2023-42)

Section 2. That the existing title, the first and second whereas clauses, and Sections 1, 2, 3, and 4 of Ordinance No. 532-2023, passed May 15, 2023, are repealed.

Section 3. That Ordinance No. 532-2023, passed May 15, 2023, is supplemented by adding two additional whereas clauses to follow the second existing one and new Sections 1a, 3a and 3b to read as follows:

WHEREAS, consistent with Ordinance No. 1093-2023, the City and Cleveland Public Market Corporation (“CPMC”) entered into a Management Agreement, Contract No. CT-7005-PS 2024-0119, effective April 12, 2024 (the “Management Agreement”); and

WHEREAS, this ordinance seeks an amendment to Ordinance No. 532-2023, passed May 15, 2023, to authorize the Director of Capital Projects and/or Director of Public Works to enter into one or more design-build public improvement contracts with CPMC, or in the alternative, to authorize the Director of Public Works, Community Development, or appropriate Director, to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades; and

Section 1a. That the Director of Capital Projects, Public Works, and/or Community Development, as appropriate, are authorized to enter into one or more contracts with CPMC for the design and construction of the Design-Build Public Improvement. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Design-Build Public Improvement.

Section 3a. That as an alternative to Section 1 and 1a of this ordinance, as necessary to secure funding through tax credits for capital improvements to benefit the Market, the Director of Public Works, Community Development, and/or appropriate Director, are authorized to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of the improvements to the Market to enable the Masterplan to be carried out through various improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Grant Agreement Improvement”).

Section 3b. That the agreements, amendments, and any other appropriate documents needed to complete the transaction authorized by this ordinance shall be prepared by the Director of Law, approved by the appropriate Director, and, as necessary, certified by the Director of Finance. The grant agreement(s) for the Grant Agreement Improvement shall require, without limitation, the following: a competitive procurement process according to applicable provisions of the Codified Ordinances; compliance with the prevailing wage requirements set forth in Section 185.33 of the Codified Ordinances and Chapter 4115 of the Ohio Revised Code; compliance with Chapter 187 of the Codified Ordinances to meet Cleveland small business, minority business and female business participation goals; and compliance with Chapter 190A of the Codified Ordinances regarding community benefits agreements, as applicable.

Section4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 543-2024

By Council Members: McCormack, Bishop and Griffin (by departmental request)

An emergency ordinance authorizing an additional Ten-Million Dollars (\$10,000,000.00) for improvements to the West Side Market contemplated under Ordinance No. 532-2023, passed May 15, 2023.

WHEREAS, Ordinance No. 532-2023, passed May 15, 2023, authorized a construction-manager at risk contract for the public improvement to the West Side Market (the “Market”), including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Public Improvement”); and

WHEREAS, Ordinance No. 542-2024, introduced May 13, 2024, seeks an amendment to Ordinance No. 532-2023, to authorize the Director of Capital Projects and/or Director of Public Works to enter into one or more design-build contracts for the Public Improvement (the “Design-Build Public Improvement”) with the Cleveland Public Market Corporation (“CPMC”), or in the alternative, to authorize the Director of Public Works, Community Development, or other appropriate Director, to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance relating to designing and constructing improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Grant Agreement Improvement”); and

WHEREAS, an additional Ten Million Dollars (\$10,000,000.00) is necessary for either the Design-Build Public Improvement or the Grant Agreement Improvement entered into with CPMC, or an entity affiliated with or controlled by CPMC; and

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 this Council authorizes an additional Ten-Million Dollars (\$10,000,000.00) payable from Fund No. 01-9997-6985, for improvements to the Market as contemplated under Ordinance No. 532-2023, as amended by Ordinance No. 542-2024. The additional funding will go towards either the Design-Build Public Improvement or the Grant Agreement Improvement authorized in that ordinance. (RQS 0103, RL 2024-60)

Section 2. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 544-2024

By Council Members: Polensek, Bishop and Griffin (by departmental request)

An emergency ordinance to supplement Ordinance No. 54-2023, passed March 20, 2023, to add new Section 10; and to renumber existing Sections 10, 11, and 12 to new Sections 11, 12, and 13, relating to the Development and/or Purchase Agreement with TurnDev, or its designee, for the development and sale of real property and buildings located at 2530-2570 Superior Avenue as the new police headquarters.

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 Ordinance No. 54-2023, passed March 20, 2023, is supplemented by adding a new Section 10 to read as follows:

Section 10. That the Project shall be exempt from any permit fees prescribed in Chapter 3105 of the Codified Ordinances.

Section 2. That existing Sections 10, 11 and 12 are renumbered to new “Section 11”, “Section 12”, and “Section 13”.

Section 3. That the amendment to Section 10 above shall be applied retroactively to March 20, 2023, which is the date Ordinance No. 54-2023 was passed.

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 546-2024

By Council Members: Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of City Planning to apply for and accept a grant from the United States Department of Transportation for the 2023 Safe Streets and Roads for All Grant; authorizing the Director of City Planning, or appropriate Director, to enter into contracts to implement the grant; determining the method of making the public improvement of constructing safety improvements through a quick-build demonstration project on St. Clair Avenue and authorizing contracts to make the improvement; to apply for and accept any gifts or grants from any public or private entity; authorizing the Commissioner of Purchases and Supplies to acquire, accept and record real property and easements that are necessary for the improvement; and authorizing other agreements.

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 Director of City Planning is authorized to apply for and accept a grant in the approximate amount of \$2,328,908 from the United States Department of Transportation, and any other funds from public or private entities that may become available during the grant term, to conduct the 2023 Safe Streets and Roads for All Grant; that the director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 546-2024-A**, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide \$582,227 in cash matching funds payable from Fund No. 11 SF 006, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0110, RLA 2024-48)

Section 3. That the Director of City Planning is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of City Planning, Capital Projects and/or Public Works, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services, including but not limited to, design, engineering, and construction services necessary for the Improvement described below; safety audits and safety analyses of several high injury network street segments; and project management services.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of City Planning, or appropriate Director, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the appropriate Director for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the appropriate Director, and certified by the Director of Finance.

Section 5. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing safety improvements through a quick-build demonstration project on St. Clair Avenue (the “Improvement”), for the Director of Capital Projects by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 6. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 7. That the Director of Capital Projects, or appropriate Director, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 8. That the Director of City Planning, Capital Projects, and/or Public Works, is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of City Planning, or appropriate department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 9. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of City Planning, Capital Projects, and/or Public Works, may sign all documents that are necessary to make the purchases and/or obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 10. That the Director of Capital Projects is authorized to accept right-of-entries from private property owners within the Improvement locations where access to private property is necessary to complete the Improvement.

Section 11. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the Improvement, including but not limited to gift, fee simple acquisitions, temporary and permanent easements, and work agreements. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 12. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 13. That the Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

Section 14. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for the Improvement from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 15. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement this ordinance.

Section 16. That the cost of the contract or contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, the cash match, and from the fund or funds to which are credited any gifts received for this purpose.

Section 17. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 547-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance nominating and voting on who should serve on Cuyahoga County's 9-1-1 Program Review Committee.

WHEREAS, the City of Cleveland is located within the County of Cuyahoga and is therefore part of Cuyahoga County's 9-1-1 service network; and

WHEREAS, Cuyahoga County convenes a 9-1-1 Program Review Committee in accordance with Revised Code Section 128.06(B); and

WHEREAS, Revised Code Section 128.06(B)(4) specifies that all municipal corporations within Cuyahoga County are entitled to one vote as to the chief executive officer of one municipal corporation, who shall represent on the 9-1-1- Program Review Committee all chief executive officers of all municipal corporations within Cuyahoga County; and

WHEREAS, said representative shall be selected by the majority of all the legislative authorities of municipal corporations in Cuyahoga County; and

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 Mayor Kirsten Holzheimer-Gail of the City of Euclid is hereby nominated and voted to serve on Cuyahoga County's 9-1-1 Program Review Committee as the representative of all chief executive officers of all municipal corporations within Cuyahoga County.

Section 2. That the Clerk of Council is authorized to transmit a certified copy of this ordinance to Brandy Carney, Director of Cuyahoga County Public Safety and Justice Services, 2079 East 9th Street, 5th Floor, Cleveland, Ohio 44115.

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 548-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance approving the 9-1-1 Plan of Cuyahoga County, dated March 6, 2024.

WHEREAS, the City of Cleveland is located within the County of Cuyahoga and is therefore part of Cuyahoga County 9-1-1 service network; and

WHEREAS, Cuyahoga County maintains a 9-1-1 Plan in accordance with Revised Code Section 128.07; and

WHEREAS, Cuyahoga County has provided a copy of the 9-1-1 Plan to the City of Cleveland in accordance with Revised Code Section 128.07; and

WHEREAS, the City of Cleveland wishes to assist Cuyahoga County in complying with Revised Code Section 128.08 by offering this ordinance signifying its approval or rejection of said plan; and

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 9-1-1 Plan of Cuyahoga County, dated March 6, 2024, is approved and placed in **File No. 548-2024-A**.

Section 2. That the Clerk of Council is authorized to transmit a certified copy of this ordinance to Brandy Carney, Director of Cuyahoga County Public Safety and Justice Services, 2079 East 9th Street, 5th Floor, Cleveland, Ohio 44115.

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 577-2024

By Council Members: Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with Changeover, or its designee, to allow and accept improvements to four tennis courts at Thurgood Marshall Recreation Center, as a gift to the City.

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 Director of Public Works is authorized to enter into one or more agreements with Changeover, or its designee, to allow and accept improvements to four tennis courts at Thurgood Marshall Recreation Center, as a gift to the City, in the estimated amount of \$35,339. The agreements shall be prepared by the Director of Law and shall contain additional terms and conditions that the Director deems necessary to protect and benefit the public interest.

Section 2. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 578-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with Global Cleveland to provide services to immigrants, refugees, international students, and new citizens of Cleveland, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.

WHEREAS, Global Cleveland is a unique organization that attracts, welcomes and connects international newcomers to economic, social and educational opportunities in Cleveland; and

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 Director of Finance is authorized to enter into one or more contracts with Global Cleveland to provide services to immigrants, refugees, international students, and new citizens of Cleveland, for a period of one year, with two one-year options to renew, exercisable by the Director of Finance.

Section 2. That the agreement(s) authorized shall be prepared by the Director of Law and shall contain terms and conditions as the director deems necessary to protect and benefit the City of Cleveland.

Section 3. That the cost of the agreement(s) shall be paid from Fund No. 01-9998-6234. (RQS 1501, RL 2024-62)

Section 4. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 581-2024

By Council Members: Bishop and Griffin (by departmental request)

An emergency ordinance to amend the title and Sections 1 and 5 of Ordinance No. 683-2021, passed September 27, 2021, and to supplement the ordinance by adding new Sections 5a, 5b, and 5c, relating to authorizing the Director of Capital Projects to apply for and accept funding from the Ohio Department of Transportation for the preliminary study of the Lakefront Pedestrian Bridge and authorizing contracts.

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 title and Sections 1 and 5 of Ordinance No. 683-2021, passed September 27, 2021, are amended to read as follows:

AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to apply for and accept funding from the Ohio Department of Transportation for the preliminary alternative study of the Lakefront Pedestrian Bridge; authorizing the Director to apply for and accept gifts, grants, and other funding from other entities; to enter into contract with Osborn Engineering Company for traffic modeling and engineering services; authorizing other agreements; determining the method of making the public improvement of constructing the bridge; and authorizing the Director to enter into one or more public improvement contracts for the making of the improvement.

Section 1. That the Director of Capital Projects is authorized to apply for and accept state funding from the Ohio Department of Transportation (“ODOT”) for the following infrastructure preliminary alternative study and design and engineering services for the construction of a land bridge and other associated infrastructure to support project development: CUY 2-15.26 – Lakefront Pedestrian Bridge Connector to the Lakefront (the “Project”); that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 5. That the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the Project and for the Improvement described below.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Capital Projects, and certified by the Director of Finance.

Section 2. That the existing title and Sections 1 and 5 of Ordinance No. 683-2021, passed September 27, 2021, are repealed.

Section 3. That Ordinance No. 683-2021, passed September 27, 2021, is supplemented by adding new Sections 5a, 5b and 5c to read as follows:

Section 5a. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Lakefront Pedestrian Bridge and other associated infrastructure (“Improvement”) by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

Section 5b. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 5c. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 583-2024

By Council Members: Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the purchase by one or more requirement contracts of rock salt, for the Division of Streets, Department of Public Works, for a period of one year.

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 Director of Public Works is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one (1) year of the necessary items of rock salt, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Streets, Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items as a single contract or by separate contracts for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7016, RL 2024-21)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 585-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants, computer software developers, or vendors to acquire licenses for a grant management software system to manage and implement grants, including related services, for the Division of Financial Reporting and Control, Department of Finance, for a period of three years with two one-year options to renew, exercisable by the Director of Finance.

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 Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to acquire licenses for a grant management system, including installing, configuring, training, implementing, testing, maintaining, technical support, and other related services for the Division of Financial Reporting and Control, Department of Finance, for a period of three years with two one-year options to renew, exercisable by the Director of Finance.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law and approved and certified by the Director of Finance.

Section 2. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to obtain such services and may enter into one or more contracts with the consultants selected through that cooperative process.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 11 SF 006. (RQS 1510, RL 2024-58)

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 592-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to authorize the Director of Finance to enter into an amendment to Contract No. 61386 with ADP, Inc. for licenses and services for an integrated payroll and human resources information system to extend the term of the contract for up to one year, with one or more options to renew for an additional total term not to exceed two years, exercisable by the Director of Finance.

WHEREAS, under Ordinance No. 400-2021, passed June 7, 2021, the Director of Finance entered into a seventh amendment to Contract No. 61386 with ADP, Inc. to acquire licenses and services for an integrated payroll and human resources information system; and

WHEREAS, additional services are required; and

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 Director of Finance is authorized to enter into an amendment to Contract No. 61386 with ADP, Inc. for licenses and services for an integrated payroll and human resources information system to extend the term of the contract for up to one year, with one or more options to renew for an additional total term not to exceed two years, exercisable by the Director of Finance. All other terms and conditions of the contract shall remain the same.

Section 2. That the amendment shall be prepared by the Director of Law.

Section 3. That the cost of the amendment shall be paid from funds approved by the Director of Finance.

Section 4. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 593-2024**By Council Members:** Kazy

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio 1976 by amending Section 459.11, as amended by Ordinance No. 1693-06, passed October 9, 2006, related to parking infraction fines.

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 the City of Cleveland, Ohio are supplemented by amending Section 459.11 as amended by Ordinance No. 1693-06, passed October 9, 2006, to read as follows:

Section 459.11 Parking Infraction Fines

(a) The fine for committing a parking infraction, unless another fine is established by divisions (b), (c), (d) or (e) of this section, is hereby established to be twenty-five dollars (\$25.00), except that the fine for a rush hour parking infraction shall be thirty-five dollars (\$35.00).

(b) The fine for violating each of the following sections of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be fifty dollars (\$50.00):

451.03	Statutory Prohibited Standing or Parking Places, division (d), division (e) and division (j) only
451.15	Fire Lanes on Public and Private Property, division (b) and division (c) only
451.22	Between Sidewalk and Setback Line
451.241	Parking Vehicles on Vacant Lots Prohibited, division (b) only
451.25	Abandoned Vehicles
451.17	Snow Emergency
451.18	Bus Stops and Taxicab Stands, division (b) only

(c) The fine for violating each of the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be one hundred dollars (\$100.00):

451.21	Trucks and Commercial Vehicles, division (b) only
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(d) The fine for violating the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be two hundred dollars (\$200.00):

451.23	Tree Lawn and Private Driveway, division (a) only
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(e) The fine for violating the following section of the Codified Ordinances of Cleveland, Ohio, 1976, whether or not committed during rush hour, is hereby established to be two hundred and fifty dollars (\$250.00):

451.041	Physically Handicapped Parking, division (b) only
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Section 2. That Section 459.11 as amended by Ordinance No. 1693-06, passed October 9, 2006, is repealed.

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 595-2024

By Council Members: McCormack, Howse-Jones and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with Clutch Consulting Group, the Cleveland Mediation Center, and various non-profit organizations for the purpose of developing and implementing direct-to-housing encampment resolution practices to eliminate unsheltered homelessness in the City of Cleveland as part of “A Home for Every Neighbor: A Vision For Housing Our Unsheltered Community” initiative, for the Department of Finance, for a period or periods not to exceed a total of eighteen months.

WHEREAS, the City of Cleveland wishes to implement “A Home for Every Neighbor: A Vision For Housing Our Unsheltered Community” to end unsheltered homelessness by rehousing approximately 150 unsheltered persons by implementing a housing-focused outreach and engagement strategy in geographically-targeted areas of the City followed by rapid rehousing placements using existing and new City-sponsored housing resources, which is known as “housing central command” or “direct-to-housing encampment resolution” (the “Initiative”); and

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 Director of Finance is authorized to enter into one or more contracts with Clutch Consulting Group to implement the Initiative, including but not limited to development and management of a plan, using existing and new City-sponsored related resources, on the basis of its proposal dated May 7, 2024, for the Department of Finance, for a period or periods not to exceed a total of eighteen months.

Section 2. That the Director of Finance is authorized to enter into one or more contracts with Cleveland Mediation Center to support the Initiative by providing housing assistance placement services, including but not limited to, outreach, administration, mediation, assessment, collaboration, disbursing funds, and other housing-related direct client assistance services, for the Department of Finance, for a period or periods not to exceed a total of eighteen months.

Section 3. That the Director of Finance is authorized to enter into one or more contracts with various non-profit organizations that participate in workshops provided by Clutch Consulting Group to implement the Initiative and performing related services, for Department of Finance, for a period or periods not to exceed a total of eighteen months.

Section 4. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to obtain such services and may enter into one or more contracts with the consultants selected through that cooperative process.

Section 5. The contract or contracts shall not exceed an aggregate amount of \$2,000,000 and shall be paid from Fund No. 01-9997-6985. (RQS 1501, RL 2024-57)

Section 6. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 615-2024**By Council Members:** Griffin

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio 1976 by amending Section 110.02, as amended by Ordinance No. 105-16, passed February 8, 2016, related to limitations on campaign contributions.

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 the City of Cleveland, Ohio are supplemented by amending Section 110.02, as amended by Ordinance No. 105-16, passed February 8, 2016, to read as follows:

Section 110.02 Limitations on Campaign Contributions

(a) No individual shall make, and no candidate for the office of Mayor on his or her own behalf or committee on behalf of a candidate for the office of Mayor shall accept, any contribution which exceeds a total of five thousand dollars (\$5,000.00) per individual contributor per calendar year in support of a primary and regular election combined, or a primary and special election combined.

(b) No political action committee shall make, and no candidate for the office of Mayor on his or her own behalf or committee on behalf of a candidate for the office of Mayor shall accept, any contribution which exceeds a total of seven thousand five hundred dollars (\$7,500.00) per political action committee per calendar year in support of a primary and regular election combined, or a primary and special election combined.

(c) No individual shall make, and no candidate for the office of a member of Council on his or her own behalf or committee on behalf of a candidate for the office of member of Council shall accept, any contribution which exceeds a total of three thousand dollars (\$3,000.00) per individual contributor per calendar year in support of a primary and regular election combined, or a primary and special election combined.

(d) Notwithstanding any other provision in this section, no political action committee shall make, and no candidate for the office of member of Council on his or her own behalf, or committee on behalf of a candidate, shall accept any contribution which exceeds a total of six thousand dollars (\$6,000.00) per political action committee per calendar year, in support of a primary and regular election combined, or primary and special election combined.

(e) No corporation shall make, and no candidate for the offices of Mayor or member of Council shall accept on his or her own behalf or committee on behalf of a candidate for the offices of Mayor or member of Council shall accept from a corporation, any contribution in support of a primary and regular election combined, or a primary and special election combined.

(f) Notwithstanding the provisions in divisions (a) and (c) of this section, no candidate on his or her own behalf or committee on behalf of a candidate, shall accept, from any City of Cleveland employee a contribution that exceeds a total of one hundred dollars (\$100.00) per individual employee per calendar year in support of a primary and regular election combined, or a primary and special election combined.

(g) The limitations set forth in divisions (a), (b), (c), and (d) of this section apply to aggregate gifts during any given calendar year. A contributor may make a contribution up to the applicable limit in each of any three (3) non-election years as well as the year of the election.

(h) In the case of an appointment to fill a vacancy in the office of member of Council, or the office of Mayor, the contribution limits provided for in this section shall apply to the election campaign period for such office.

(i) Notwithstanding the provisions of this section, there is no limitation on the amount of personal funds that a candidate may make to his or her own campaign.

(j) This section shall apply to any contributions made to a candidate or committee, whether used by the candidate or committee to finance a current campaign, to pay deficits incurred in a prior campaign, or otherwise.

Section 2. That Section 110.02, as amended by Ordinance No. 105-16, passed February 8, 2016, is repealed.

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 June 3, 2024.

Effective June 7, 2024, without the signature of the Mayor.

Ordinance No. 616-2024**By Council Members:** Griffin (by departmental request)

An emergency ordinance to amend Section 27 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to salaries for various classifications.

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 Section 27 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1304-2023, passed November 13, 2023, is amended to read as follows:

Section 27. Laborers International Union of North America (LiUNA), Local 860 (Supervisory). That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Classification	Minimum	Maximum
1	Airport Field Unit Leader	23.77	30.68
2	Arborist II	24.13	30.37
3	Asphalt Construction Unit Leader	29.10	35.30
4	Assistant Manager of Parks and Urban Forestry	29.26	34.33
5	Assistant Superintendent of Waste Collection	29.96	35.10
6	Cemetery Unit Leader	23.78	28.31
7	Cemetery Supervisor	27.17	32.04
8	Chief Engineering and Construction Inspector	29.77	34.89
9	Cold Patch and Crack Sealing Unit Leader	27.29	35.29
10	Custodial Worker Supervisor	22.04	26.40
11	District Asphalt Construction Unit Leader	29.12	47.74
12	General Construction Unit Leader	37.10	42.95
13	General Shop Unit Leader	29.98	35.13

14	Greenskeeper	24.63	29.25
15	Ground Maintenance Crew Unit Leader	20.28	24.47
16	Ground Maintenance Unit Leader	23.78	28.31
17	Horticulturist	33.93	39.46
18	Horticulturist Maintenance Unit Leader	26.58	31.39
19	Labor Unit Leader	23.77	28.30
20	Maintenance Unit Leader	22.78	27.22
21	Parking Coordinator	25.05	29.71
22	Set-Up Unit Leader	19.92	24.07
23	Street Maintenance Unit Leader	23.77	28.30
24	Street Maintenance General Unit Leader	29.98	35.13
25	Street Maintenance District Unit Leader	36.79	42.61
26	Superintendent of Construction Equipment	29.12	47.98
27	Waste Collection Transfer Station Unit Leader	26.97	31.64
28	Waste Collection Unit Leader	23.77	28.30
29	Waste Collection Unit Leader I	26.01	30.76

Section 2. That the existing Section 27 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1304-2023, passed November 13, 2023, is repealed.

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 617-2024

By Council Members: McCormack

An emergency ordinance designating West 31st Place with a secondary and honorary designation of “George Hrbek Way”.

WHEREAS, Reverend George Hrbek, a social justice giant in Northeast Ohio and former head of Lutheran Metropolitan Ministry, lived on West 31st Place, where he and his wife Stephanie raised their family, until his passing in February 2023 at the age of 91; and

WHEREAS, Hrbek, the Lutheran pastor, spent much of the civil rights era in Alabama where he attempted to desegregate churches, and helped create the Selma chapter of the Southern Christian Leadership Conference, a civil rights organization founded by Martin Luther King Jr. with whom he had a personal relationship; and

WHEREAS, Hrbek moved from Alabama to Chicago, where he worked to educate other white people about allyship and racism; his messages were often advised by King, who was also working in Chicago at the time; and

WHEREAS, in the early 1970s, Hrbek was hired as one of the first staff members of Lutheran Metropolitan Ministry, a Cleveland social services organization that began operating the 2100 Lakeside Men’s Shelter when Hrbek became the ministry’s interim executive director; and

WHEREAS, those who worked closely with Hrbek described him as bold and not afraid of consequences, having been arrested multiple times for advocacy and demonstrations; and

WHEREAS, he was at the forefront fighting racial injustice, and was never afraid to stand up to institutions that stood in the way of equity; and

WHEREAS, Hrbek was an activist until the end, as demonstrated in his extensive interview with historian Lynn Burnett just after his 90th birthday; and

WHEREAS, in an article published by Ideastream Public Media on February 21, 2023, friend Charles See was quoted saying, “When we think in the days ahead and the years ahead, we certainly will remember George...we’ll be encouraged and his example will continue to be there to spur the best of us on.”; and

WHEREAS, the citizens of Cleveland want to honor George Hrbek with a secondary street sign designation of “George Hrbek Way” in recognition of his dedication to racial and social justice and community activism; and

WHEREAS, this ordinance constitutes an emergency measure for the immediate preservation of public peace, property, health or safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That West 31st Place is designated with a secondary and honorary designation of “George Hrbek Way”.

Section 2. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 618-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Saint Martin De Porres High School to participate as a sponsor of students for work/study positions with Cleveland City Council.

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 Clerk of Council is authorized to enter into an agreement with Saint Martin De Porres High School to participate as a sponsor of students for work/study positions with Cleveland City Council. This agreement shall be entered into as of August 1, 2024, and shall terminate July 31, 2025. Cleveland City Council shall provide sponsorship for up to four students at a time during the term. The agreement shall be certified for \$30,200.00 and shall be certified from fund number 01, subfund 001, department 0101, object 6320.

Section 2. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 631-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Bureau of Workers' Compensation for the Safety Intervention Grant Program; and authorizing the Director to enter into various written standard purchase and requirement contracts for various types of safety equipment, supplies, and services needed to implement the grant.

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 Director of Public Safety is authorized to apply for and accept a grant in the amount of \$40,000, and any other funds that may become available during the grant term from the Ohio Bureau of Workers' Compensation for the Safety Intervention Grant Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the grant package for the grant contained in the file described below.

Section 2. That the grant package for the grant, **File No. 631-2024-A**, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$16,878.35 from Fund No. 01-6001-6397, is approved in all respects and shall not be changed without additional legislative authority. (RQS 6001, RL 2024-67)

Section 3. That the Director of Public Safety is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, during the grant term, for the necessary items of various types of safety equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Safety. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 4. That the costs of the standard or requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

Section 5. That under Section 108(b) of the Charter, the purchases and services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases or obtain such services and may enter into one or more contracts with the vendors or consultants selected through that cooperative process.

Section 6. That the costs of the contract or contracts or payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, the cash match, and any other funds approved by the Director of Finance.

Section 7. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 635-2024

By Council Members: Gray, Hairston and Griffin

An emergency ordinance authorizing the Director of Economic Development to enter into a forgivable loan agreement with Burten, Bell, Carr Development, Inc., or its designee, to provide economic development assistance to partially finance hard and soft costs associated with the Buckeye Road Commercial Corridor Revitalization and Stabilization Initiative for up to ten vacant and distressed mixed-use commercial buildings and parking lots.

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 Director of Economic Development is authorized to enter into a forgivable loan agreement Burten, Bell, Carr Development, or its designee, to provide economic development assistance to partially finance the hard and soft costs associated with the Buckeye Road Commercial Corridor Revitalization and Stabilization for up to ten vacant and distressed mixed-use commercial buildings and parking lots, and other necessary associated costs.

Section 2. That the summary for the loan, **File No. 635-2024-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be materially changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan.

Section 4. That the Director of Economic Development is authorized to accept monies in repayment of the loan, if not forgiven, and to deposit the monies in Fund Nos. 17 SF 006.

Section 5. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 6. That the costs of any funding under this ordinance shall not exceed \$3,879,807.65 and shall be paid from Fund Nos. 10 SF 555, 10 SF 559, 20 SF 567 and other funds approved by the Director of Finance. (RQS 9501, RL 2024-63)

Section 8. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 636-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to amend Section 2 of Ordinance No. 664-2022, passed August 10, 2022, as amended, relating to the Community Based Violence Intervention and Prevention Initiative – Cleveland Project THRIVE program.

WHEREAS, under Ordinance No. 664-2022, passed August 10, 2022, as amended by Ordinance No. 1143-2022, passed November 21, 2022, this Council authorized the Director of Finance to apply for and accept a grant in the amount of up to \$2,000,000, and any other funds that become available during the grant term from the United States Department of Justice, Bureau of Justice Assistance to conduct the Community Based Violence Intervention and Prevention Initiative – Cleveland Project THRIVE program and to provide for a contract with the Cleveland Foundation for additional funding support; and

WHEREAS, due to unused grant funds and an increase in in-kind services from the Cleveland Foundation, the City prepared a modified budget for the grant which has been approved by the United States Department of Justice; and

WHEREAS, the reallocated unused grant funds, the additional in-kind services from the Cleveland Foundation, and the unfilled Program Manager position to budget line items, can now be used to best support community-based violence intervention and prevention initiative work at the community level; and

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 Section 2 of Ordinance No. 664-2022, passed August 10, 2022, as amended by Ordinance No. 1143-2022, passed November 21, 2022, is amended to read as follows:

Section 2. That the summary for the grant, File No. 664-2022-C, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 2. That existing Section 2 of Ordinance No. 664-2022, passed August 10, 2022, as amended by Ordinance No. 1143-2022, passed November 21, 2022, is repealed.

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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 647-2024

By Council Members: Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Cleveland Cavaliers, or its designee, to permit and accept improvements to Public Auditorium for the Cleveland Charge, an affiliate of the Cleveland Cavaliers, to conduct and host league basketball games, and to lease areas in Public Auditorium, for a term of six years.

WHEREAS, the Cleveland Charge is an American professional basketball team in the NBA G League based in Cleveland and is affiliated with the Cleveland Cavaliers (the “Cleveland Charge”); and

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, notwithstanding any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into an agreement with the Cleveland Cavaliers, or its designee (the “Cavaliers”), to permit, subject to the approval of City officials, the construction of an estimated \$3,000,000 of various improvements in Public Auditorium, including but not limited to, constructing one or more locker rooms and office and team areas, upgrading, modifying and improving HVAC and other building systems, and making other related improvements, which would allow the Cleveland Charge to conduct and host league basketball games during the term of the agreement (the “Improvements”); to accept the Improvements; and to lease areas in Public Auditorium for the Cleveland Charge to conduct and host such basketball games (the “Agreement”). Any parking or concession agreement shall require additional legislative authority.

Section 2. That, notwithstanding any section of the Codified Ordinances of Cleveland, Ohio, 1976 and as consideration of the Improvements, the Cavaliers shall pay the City an amount with and annual escalation to cover the cost of rent and labor for each game event which amount and escalation shall be determined by the Board of Control. In addition, the City shall credit rent and labor costs in the amount of 33% of the Improvement costs to a maximum of \$1,000,000.

Section 3. That the term of the Agreement shall be for six years.

Section 4. That the Agreement shall be prepared by the Director of Law and shall contain such terms and conditions to protect and benefit the public interest.

Section 5. That the Director of Public Works, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates

and take any other actions which may be necessary or appropriate to effectuate this ordinance.

Section 6. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 648-2024**By Council Members:** Howse-Jones

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Midtown Cleveland Inc. for the Office Communication Project through the use of Ward 7 Casino Revenue Funds.

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 Director of the Department of Community Development is hereby authorized to enter into agreement with Midtown Cleveland Inc. for the Office Communications Project for the public purpose of providing better city resource communication support through the use of Wards 7 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,700.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 7	\$5,700.00	G24664

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 21, 2024. Project shall begin as of June 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.**Effective June 7, 2024.**

Ordinance No. 649-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with The Diversity Institute, Cleveland State University for Project 400 Conference through the use of Ward 6 Casino Revenue Funds.

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 Director of the Department of Community Development is hereby authorized to enter into agreement with The Diversity Institute, Cleveland State University for the public purpose of providing the Project 400 Conference through the use of Wards 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$10,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 6	\$10,000.00	G24649

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 21, 2024. Project shall begin as of February 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.**Effective June 7, 2024.**

Ordinance No. 650-2024

By Council Members: Jones, Bishop, Gray, Starr, Griffin, Conwell, Hairston, Kelly, Maurer, Spencer, Kazy, Slife

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Impact Youth Incorporated for the Revolutionary Minds Summer League Youth Basketball Program through the use of Wards 1, 2, 4, 5, 6, 9, 10, 11, 12, 15, 16, 17 Casino Revenue Funds.

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 Director of the Department of Public Works is hereby authorized to enter into agreement with Impact Youth Incorporated for the Revolutionary Minds Summer League for the public purpose of providing a youth basketball program through the use of Wards 1, 2, 4, 5, 6, 9, 10, 11, 12, 15, 16, 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$34,505.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 1	\$1,000.00	G24670
Ward 2	\$1,000.00	G24670
Ward 4	\$1,000.00	G24670
Ward 5	\$2,000.00	G24670
Ward 6	\$1,500.00	G24670
Ward 9	\$1,000.00	G24670
Ward 10	\$1,500.00	G24670
Ward 11	\$2,500.00	G24670
Ward 12	\$1,000.00	G24670
Ward 15	\$2,000.00	G24670
Ward 16	\$19,005.00	G24670
Ward 17	\$1,000.00	G24670

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 30, 2024. Project shall begin as of May 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 651-2024

By Council Members: McCormack, Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Directors of Economic Development and Finance to enter into a Job Creation Income Tax Credit Incentive Program agreement with James B. Oswald Company, and/or its designee, to facilitate the purpose and provisions of this ordinance; and authorizing the director to enter into a grant agreement to provide economic development assistance to partially finance building renovations located at 950 Main Avenue.

WHEREAS, pursuant to the authority of Revised Code Section 718.15, Section 192.16 of the Codified Ordinances of Cleveland, Ohio, 1976 (“CCO”), and Ordinance No. 1345-2023, passed December 4, 2023, and in accordance with CCO Section 192.19, the City has created a Job Creation Income Tax Credit Incentive Program (“JCI Tax Credit Program”); and

WHEREAS, prior to passage of this ordinance, the City and the company listed below have reached an agreement specifying all the conditions of the JCI Tax Credit Program were granted and placed in **File No. 651-2024-A**; and

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 Directors of Economic Development and Finance are authorized to enter into a Job Creation Income Tax Credit Incentive Program agreement (“JCI Tax Credit Agreement”), for a period not to exceed five years, with James B. Oswald Company, and/or its designee (the “Company”), to provide financial assistance and incentives, by means of a credit against net profit tax due to the Central Collection Agency (“CCA”) to Company, an eligible applicant for such credit, which Company will create a minimum of fifty (50) full time jobs new to the City. Company may receive five (5) annual credits measured as 50% of the income tax withholding revenue the City derives from new employees of the Company that will be granted within the Company’s annual net profit return to be filed with CCA.

Section 2. That the Company must not be delinquent on any portion of its tax filing and payment requirements including but not limited to real estate taxes, municipal income taxes, and withholding tax obligations on behalf of its employees. The term of the JCI Tax Credit Agreement authorized by this ordinance shall not exceed the term of the Company’s lease, and in no event shall exceed five years, unless otherwise approved by Council.

Section 3. That the Director of Economic Development is authorized to enter into a grant agreement with the Company to provide economic development assistance to partially finance building renovations located at 950 Main Avenue.

Section 4. That the Directors of Economic Development, Finance and Office of Equal Opportunity are authorized to enter into a Community Benefits Agreement as a condition to receive funds under this ordinance.

Section 5. That the Mayor, the Director of Finance, the Director of Economic Development, the Director of Law, and any other City officials, as appropriate, are each authorized to prepare and sign any other documents, instruments, amendments or certificates and to take such actions as are necessary or appropriate to consummate and implement the transactions described in or contemplated by this ordinance.

Section 6. That the contract authorized in this legislation will require the recipients of financial assistance and to work with, and/or cause their tenants to work with, Ohio Means Jobs Cuyahoga County and City of Cleveland to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

Section 7. That the costs of the grant shall not exceed an amount of \$1,000,000 and shall be paid from Fund No. 17 SF 652. (RQS 9501, RL 2024-64)

Section 8. 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 652-2024**By Council Members:** Kazy

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Jefferson-Puritas West Park Development Corporation for the public purpose of providing Ward 16 Code Enforcement Program through the use of Wards 16 Casino Revenue Funds

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 Director of the Department of Community Development is hereby authorized to enter into agreement with the Jefferson-Puritas West Park Development Corporation for the public purpose of providing Ward 16 Code Enforcement Program through the use of Wards 16 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$22,500.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 16	\$22,500.00	G24671

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 21, 2024. Project shall begin as of July 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 653-2024**By Council Members:** Conwell

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the Famicos Foundation for the John Marshall Band Project through the use of Ward 9 Casino Revenue Funds.

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 Director of the Department of Community Development is hereby authorized to enter into agreement with Famicos Foundation for the John Marshall Band Project for the public purpose of providing band uniforms through the use of Ward 9 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$7,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 9	\$7,000.00	G24656

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 21, 2024. Project shall begin as of May 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.**Effective June 7, 2024.**

Ordinance No. 654-2024**By Council Members:** Jones

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the public purpose of providing the Food Card Distribution Program through the use of Ward 1 Casino Revenue Funds.

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 Director of the Department of Community Development is hereby authorized to enter into agreement with the Famicos Foundation for the public purpose of providing the Food Card Distribution Program through the use of Ward 1 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,500.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 1	\$12,500.00	G23642

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 21, 2024. Project shall begin as of November 1, 2023.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.**Effective June 7, 2024.**

Ordinance No. 655-2024**By Council Members:** Starr

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Burten, Bell, Carr Development, Inc. for the Youth Football Recreation Program through the use of Ward 5 Casino Revenue Funds.

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 Director of the Department of Public Works is hereby authorized to enter into agreement with Burten, Bell, Carr Development, Inc. for the Youth Football Recreation Program for the public purpose of providing a youth football and mentoring program through the use of Ward 5 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$19,885.45 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 5	\$19,885.45	G24672

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 30, 2024. Project shall begin as of June 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.**Effective June 7, 2024.**

Ordinance No. 656-2024

By Council Members: Polensek, Kelly, and Kazy

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the public purpose of providing the Food Card Distribution Program through the use of Wards 8, 11 and 16 Casino Revenue Funds.

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 Director of the Department of Community Development is hereby authorized to enter into agreement with the Famicos Foundation for the public purpose of providing the Food Card Distribution Program through the use of Wards 8, 11, and 16 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$7,500.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 8	\$1,000.00	G24645
Ward 11	\$2,500.00	G24645
Ward 16	\$4,000.00	G24645

Section 3. That the Law Department has reviewed and approved this proposal on May 30, 2024. The Department has reviewed and approved the proposal on May 21, 2024. Project shall begin as of November 1, 2023.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. That this ordinance is hereby 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 June 3, 2024.

Effective June 7, 2024.

Ordinance No. 668-2024**By Council Members:** Gray

An emergency ordinance to authorize the Director of Public Works to enter into a First Amendment to Agreement with Burten Bell Carr Development Corporation, Inc. for the Reddog Nation – Youth Football and Tutoring Program to increase the amount to be paid from Ward 4 Casino Funds Revenue Funds.

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 Director of the Department of Public Works is authorized to enter into a First Amendment to Agreement with Burten, Bell, Carr Development, Inc. for the Reddog Nation – Youth Football and Tutoring Program to increase the amount to be paid from Ward 4 Casino Revenue Funds.

Section 2. That the Director of Finance shall certify the First Amendment in an amount not to exceed \$5,000, to be paid from Fund No. 10 SF 188 using Ward 4 fund and project number G23627.

Section 3. That the Director of Law shall prepare the First Amendment which shall include such terms and conditions as the Director deems necessary to protect the public interest.

Section 4. That this ordinance is hereby 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 June 3, 2024.**Effective June 7, 2024.**

Resolution No. 530-2024**By Council Members:** Slife

An emergency resolution urging the Administration's Department of Public Works, Division of Recreation to improve pool policies for the benefit of resident patrons this summer.

WHEREAS, Cleveland residents want to swim at neighborhood pools this summer with the benefits of user-friendly policies; and

WHEREAS, a few improvements to the Division of Recreation's pool policies would make swimming at neighborhood pools more enjoyable this summer; and

WHEREAS, first, while pool hours are posted, due to staffing issues the hours pools are actually open changes from day to day; Council suggests that the Division of Recreation devise a method to proactively disseminate information to residents about changes to individual pool hours; and

WHEREAS, second, pool patrons are required to sign in at the beginning of an hour session, but whether they are required to sign out is unclear, so when patrons leave the pool is not at capacity, but the hour session slots are full; Council suggests that the Division of Recreation implement a one in, one out policy instead; and

WHEREAS, finally, wearing floatation devices is prohibited in our pools, making it challenging to swim with small children; Council suggests that the Division of Recreation allow patrons to wear Coast Guard – approved flotation devices that increase safety of swimmers. Non-approved floatation devices and recreational toys that are not proven safe should still be prohibited; and

WHEREAS, this Council urges the Division of Recreation to make these suggested improvements to pool policies for the benefit of resident patrons this summer; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council urges the Administration's Department of Public Works, Division of Recreation to improve pool policies for the benefit of resident patrons this summer.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to Mayor Bibb, Bonnie Teeuwen, Chief Operation Officer, Frank Williams, Director of Public Works, and Sam Gissentaner, Commissioner, Division of Recreation.

Section 3. That this resolution is hereby 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 3, 2024.

Effective June 7, 2024.

Resolution No. 590-2024

By Council Members: Griffin (by departmental request)

An emergency resolution to adopt and declare a Tax Budget for the City of Cleveland for the year 2025 and submit it to the County Budget Commission as required by State Law, Chapter 5705 of the Revised Code.

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

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Council, under the provisions of Chapter 5705 of the Revised Code, after public hearings as required by law, does adopt the statements of the year 2025 requirements for the several funds of the City of Cleveland as being the budget required by state law to be submitted to the County Budget Commission, which requirements are contained in **File No. 590-2024-A**.

Section 2. That the Clerk of Council is directed to certify a copy of the resolution to the County Auditor of Cuyahoga County.

Section 3. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 3, 2024.

Effective June 7, 2024.

Resolution No. 591-2024

By Council Members: Conwell, Hairston and Griffin (by departmental request)

An emergency resolution appointing an assessment equalization board to hear objections to estimated assessments with respect to the creation of The University Circle Special Improvement District of Cleveland and the initial plan for public services for the District; and declaring an emergency.

WHEREAS, by Resolution No. 321-2024, adopted April 15, 2024, this Council approved the creation of The University Circle Special Improvement District of Cleveland (the “District”); accepted petitions from owners of property in the proposed District; approved the amended Articles of Incorporation of University Circle Incorporated; approved the initial plan for public services; declared it necessary to provide police and safety services for the District; and provided for the assessment of the cost of such services upon benefited property in the District; and

WHEREAS, under the above resolution the estimated assessments for the services have been prepared and placed on file in the Office of the Clerk of Council; and

WHEREAS, notice of the adoption of the resolution and of the filing of the estimated assessments was duly served on all property owners to be assessed in the manner provided by law; and

WHEREAS, written objections to the estimated assessments may be filed by affected property owners; and

WHEREAS, under Section 727.16 of the Revised Code, this Council shall appoint an assessment equalization board to hear objections to the proposed assessments by affected landowners, and shall fix the time and place for the hearing by such board of such objections, and the Clerk of Council shall notify, by certified mail, any persons so objecting of the time and place of such hearing; and

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

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Robert Cahill, Michelle Felder, and David Sharkey, three disinterested freeholders of the City, and Danielle Morris and Joel Wimbiscus, two alternate disinterested freeholders of the City, are appointed as an assessment equalization board to hear and determine all written objections filed under the law to the estimated assessments heretofore filed with the Clerk of Council under Resolution No. 321-2024, adopted April 15, 2024 by this Council.

Section 2. That the assessment equalization board shall meet at 2:00 p.m. on Tuesday, July 23, 2024, at Cleveland City Hall, 601 Lakeside Avenue, Room 514, for the purpose mentioned above, and on completion of the hearing and any adjournments shall report to this Council its recommendations, including any changes which should be made to the estimated assessments.

Section 3. That the Clerk of Council is authorized and directed to notify, or cause to be notified, by certified mail, each person who has timely filed written objection to the estimated assessments. Such notice shall state the time, date and place of the hearing of the assessment equalization board and shall be mailed at least five days before the date of such hearing.

Section 4. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 3, 2024.

Effective June 7, 2024.

Resolution No. 620-2024

By Council Members: Griffin, Howse-Jones, Jones, Bishop, McCormack, Gray, Starr, Polensek, Conwell, Hairston, Kelly, Maurer, Harsh, Santana, Spencer, Kazy and Slife

An emergency resolution urging the Cleveland Metropolitan School District to change the name of East Professional Center to “Arnold R. Pinkney Professional Center”.

WHEREAS, Arnold R. Pinkney is the Chairman of Pinkney-Perry Insurance Agency, Inc., which has been in business for 42 years in Cleveland; he is also Senior Consultant and Chief Operations Officer of betpin & associates, a consulting firm focusing on political strategic planning and management consulting as well as representing motivational speakers; and

WHEREAS, a native of Youngstown, Ohio, Mr. Pinkney received a Bachelor of Arts in Political Science and History, along with a minor in Economics, from Albion College in Michigan; he attended Case Western Reserve School of Law, is a graduate of the Agency Management Training Course, and holds an Honorary Doctor of Law Degree from Central State University in Wilberforce, Ohio, where he was appointed to the Board of Trustees by Governor John Gilligan; and

WHEREAS, Mr. Pinkney began his professional career at Great Lakes Mutual Life Insurance and Prudential Life Insurance companies; Mr. Pinkney was the first African American hired by Prudential nationally and the first African American to become a million-dollar producer; and

WHEREAS, a great proponent of education, his illustrious career with the Cleveland School Board began with his appointment in 1967, and continued with his election to the School Board in 1967, 1973 and 1977; Mr. Pinkney was elected School Board President in 1971 and reelected every subsequent year until 1978; and

WHEREAS, Mr. Pinkney serves on many boards affecting Cleveland’s economic, civic and political communities, including The Urban League, University Circle, Incorporated and Cleveland Musical Arts Association; Mr. Pinkney is a founder and a member of the Board of Directors of the First National Bank Association, established in 1974 as the first African American full service bank in Ohio; and

WHEREAS, for years, Arnold Pinkney has been a concerned and involved citizen of greater Cleveland, demonstrating dedication and commitment to the health and welfare of the City by providing limitless public service and community volunteerism to support business, civic, educational and political endeavors that have improved and enhanced the City; and

WHEREAS, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council urges the Cleveland Metropolitan School District to change the name of East Professional Center to “Arnold R. Pinkney Professional Center”.

Section 2. That the Clerk is directed to send copies of this resolution to Dr. Warren G. Morgan, CEO, Cleveland Metropolitan School District.

Section 3. That this resolution is hereby 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 3, 2024.

Effective June 7, 2024.

Resolution No. 621-2024

By Council Members: Santana

An emergency resolution objecting to a New C1 Liquor Permit at 3315 Clark Avenue.

WHEREAS, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Clarks Beverage, LLC, 3315 Clark Avenue, Cleveland, Ohio 44109, Permit No. 1525509; and

WHEREAS, the granting of this application for a liquor permit to this high-crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

WHEREAS, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

WHEREAS, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

WHEREAS, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Division of Liquor Control are prevented reasonable access to the establishment; and

WHEREAS, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

WHEREAS, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

WHEREAS, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Clarks Beverage, LLC, 3315 Clark Avenue, Cleveland, Ohio 44109, Permit No. 1525509; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

Section 2. That the Clerk of Council has returned to the Ohio Division of Liquor Control the *Notice to Legislative Authority* with respect to this new permit and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

Section 3. That this resolution is hereby 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 adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 3, 2024.

Effective June 7, 2024.

Resolution No. 622-2024**By Council Members:** Starr

An emergency resolution withdrawing objection to the transfer of stock of a D5J and D6 Liquor Permit at 921 Huron Road, 1st floor, basement, mezz and patio and repealing Resolution No. 194-2024, objecting to said transfer.

WHEREAS, this Council objected to the transfer of stock of a D5J and D6 Liquor Permit to 921 Tavern, LLC, 921 Huron Road, 1st floor, basement, mezz and patio, Cleveland, Ohio 44115, Permit No. 6417545 by Resolution No. 194-2024 adopted by the Council on February 12, 2024; and

WHEREAS, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; and

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

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That objection to a D5J and D6 Liquor Permit to 921 Tavern, LLC, 921 Huron Road, 1st floor, basement, mezz and patio, Cleveland, Ohio 44115, Permit No. 6417545, be and the same is hereby withdrawn and Resolution No. 194-2024, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

Section 2. That this resolution is hereby 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 adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 3, 2024.**Effective June 7, 2024.**

Directory of City Officials

City Council

Cleveland City Hall
601 Lakeside Avenue, Room 220
Cleveland, Ohio, 44114
Phone: 216-664-2840
www.clevelandcitycouncil.org

President of Council – Blaine A. Griffin

City Clerk, Clerk of Council – Patricia J. Britt

<i>Council Member</i>	<i>Ward</i>
Joseph T. Jones	1
Kevin L. Bishop	2
Kerry McCormack	3
Deborah A. Gray	4
Richard A. Starr	5
Blaine A. Griffin	6
Stephanie D. Howse-Jones	7
Michael D. Polensek	8
Kevin Conwell	9
Anthony T. Hairston	10
Danny Kelly	11
Rebecca Maurer	12
Kris Harsh	13
Jasmin Santana	14
Jenny Spencer	15
Brian Kazy	16
Charles Slife	17

Permanent Schedule – Standing Committees of the Council 2022-2025

MONDAY – Alternating

9:30 a.m. – **Health, Human Services and the Arts Committee:** Conwell (CHAIR), Maurer (VICE-CHAIR), Gray, Harsh, Howse-Jones, Slife, Starr.

9:30 a.m. – **Municipal Services and Properties Committee:** Bishop (CHAIR), Starr (VICE-CHAIR), Hairston, Jones, Kazy, Kelly, Maurer.

MONDAY

2:00 p.m. – **Finance, Diversity, Equity and Inclusion Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Bishop, Conwell, Hairston, Kazy, Polensek, Santana, Spencer.

TUESDAY

1:30 p.m. – **Workforce, Education, Training and Youth Development Committee:** Santana (CHAIR), Howse-Jones (VICE-CHAIR), Gray, Jones, Slife, Spencer, Starr.

TUESDAY – Alternating

9:30 a.m. – **Development, Planning and Sustainability Committee:** Hairston (CHAIR), Santana (VICE-CHAIR), Harsh, Howse-Jones, Jones, McCormack, Spencer.

WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Polensek (CHAIR), Jones (VICE-CHAIR), Gray, Howse-Jones, Kelly, Slife, Starr.

10:00 a.m. – **Transportation and Mobility Committee:** McCormack (CHAIR), Slife (VICE-CHAIR), Bishop, Gray, Kazy, Maurer, Santana.

THURSDAY

10:00 a.m. – **Utilities Committee:** Kazy (CHAIR), Spencer (VICE-CHAIR), Bishop, Gray, Harsh, Kelly, Polensek.

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee: Jones (CHAIR), Griffin, Hairston, Harsh, Starr.

Operations Committee: McCormack (CHAIR), Bishop, Conwell, Griffin, Maurer.

Rules Committee: Griffin (CHAIR), Conwell, Maurer, McCormack, Polensek.

City Departments

City Hall
601 Lakeside Avenue
Cleveland, OH 44114

MAYOR – Justin M. Bibb

Bradford J. Davy, Chief of Staff

Jeff Epstein, Chief of Integrated Development

Froilan Roy Fernando, Chief Technology and Innovation Officer

Sarah N. Johnson, Chief Communications Officer

Sonya Pryor-Jones, Chief of Youth and Family Success

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Bonnie Teeuwen, Chief Operating Officer

Michele Pomerantz, Chief of Education

AGING – Mary McNamara, Director

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS –

Carmella Davis, Secretary

Patrick M. Gallagher (Labor), Chair

Howard Bradley (Builder)

(Engineer)

Robert Maschke, Architect

Peggy Lipscomb, Alternate

BOARD OF ZONING APPEALS –

Elizabeth Kukla, Secretary

Members: Alanna Faith, Nina Holzer, Priscilla Rocha, Arleesha Wilson

BUILDING AND HOUSING –

Sally Martin O'Toole, Director

Divisions:

Navid Hussain, Commissioner, Construction Permitting

Richard Riccardi, Assistant Commissioner, Construction Permitting

Thomas E. Vanover, Commissioner, Code Enforcement

CITY AUDIT COMMITTEE –

Members: Laura Armstrong, Chair; Council President Blaine A. Griffin; Law Director Mark D. Griffin; Diane Downing; Sharon Dumas; Thomas Raguz.

CITY PLANNING COMMISSION – Joyce Pan Huang, Director

Members: Lillian Kuri, Chair, Gloria Jean Pinkney, Council Member Charles Slife, August Fluker, Denise McCray, Isabella McKnight, Andrew Sargeant.

CIVIL SERVICE COMMISSION – Rachon Long, Assistant Director

Gregory E. Jordan, President; Michael Flickinger, Vice President; India Pierce Lee, Secretary; Daniel J. Brennan, Member; Cyrus L. Patton, Member

COMMUNITY DEVELOPMENT – Alyssa Hernandez, Director

Divisions:

Administrative Service – Joy Anderson, Commissioner

Office of Fair Housing and Consumer Affairs – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise Jackson, Commissioner

COMMUNITY POLICE COMMISSION – Jason Goodrick, Interim Executive Director

Members: John Adams, Shandra Benito, James M. Chura, Charles Donaldson, Jr., Kyle Earley, Alana Garrett-Ferguson, Cait Kennedy, Gregory Reaves, Janice Ridgeway, Piet van Lier, Audrianna Rodriguez, Teri Wang, Sharena Zayed.

COMMUNITY RELATIONS BOARD – Angela Shute-Woodson, Executive Director;

Members: Mayor Justin M. Bibb, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman; Council Member Kevin L. Bishop, Daniel McNea, Stephanie

Morrison-Hrbek, Roland Muhammad, Luz Pellot, Robert Render, III, Gia Hoa Ryan, Council Member Richard Starr, Jay Westbrook, Peter Whitt.

ECONOMIC DEVELOPMENT – Thomas S. McNair, Director

FINANCE – Ahmed Abonamah, Director

Divisions:

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

City Treasury – James Hartley, Treasurer

Financial Reporting and Control – James Gentile, Controller

Information Technology and Services –

Kimberly Roy Wilson, Commissioner

Internal Audit – Natasha Brandt, Manager

Printing and Reproduction – Michael Hewett, Commissioner

Purchases and Supplies – Tiffany White Johnson, Commissioner

Sinking Fund Commission – Betsy Hruby, Manager

Taxation – Kevin Preslan, Commissioner and Income Tax Administrator

Treasury – James Hartley, Treasurer

HUMAN RESOURCES – Matthew J. Cole, Director

Rachon N. Long, Assistant Director

LANDMARKS COMMISSION –

Members: Julie Trott-Heisey, Chair; Robert S. Strickland, Vice Chair; Michele Anderson; Allan Dreyer; Mark Duluk, City of Cleveland Architecture and Site Development; Councilwoman Deborah A. Gray; Cleveland City Planning Commission Director Joyce Huang; Christopher Loeser; Michael R. Sanbury; Raymond Tarasuck, Jr.; Dr. Regennia Williams.

LAW – Mark D. Griffin, Director

Michele Comer, Chief Counsel

Ronda Curtis, Chief Corporate Counsel
Elena Boop, Chief Trial Counsel
Aqueelah Jordan, Chief Prosecutor
Delanté Spencer Thomas, Chief Ethics Officer
John Skrtic, Law Librarian

MAYOR’S OFFICE OF CAPITAL PROJECTS – James D. DeRosa, Director

Divisions:

Architecture and Site Development – Carter Edman, Manager Engineering and
Construction – Richard J. Switalski, Manager Real Estate – Susanne Degennaro,
Commissioner

MAYOR’S OFFICE OF EQUAL OPPORTUNITY – Tyson Mitchell, Director

MAYOR’S OFFICE OF URBAN ANALYTICS AND INNOVATION – Elizabeth
Crowe, Director

MAYOR’S OFFICE OF SUSTAINABILITY – Sarah O’Keeffe, Director

PORT CONTROL – Bryant L. Francis, Director

Divisions:

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,
Commissioner of Airports
Burke Lakefront Airport – Tony Campofredano, Airport Leader

PUBLIC HEALTH – David Margolius, M.D., Director

Divisions:

Air Quality – David Hearne, Commissioner
Environment – Wallace L. Chambers, Jr., Commissioner
Health – Frances Mills, Commissioner
Health Equity and Social Justice – Lita Marie Wills, Commissioner
Vital Statistics – Andrea Kacinari, City Registrar

PUBLIC SAFETY – Dornat A. Drummond, Interim Director**Divisions:**

Animal Control Services – Cory Keller, Chief Animal Control Officer

Emergency Medical Service – Orlando Wheeler, Commissioner

Emergency Operations Center – Nicole Carlton, Assistant Director

Fire – Anthony P. Luke, Chief

Police – Dorothy A. Todd, Chief

Professional Standards – Roger C. Smith, Administrator

PUBLIC UTILITIES – Martin J. Keane, Director**Divisions:**

Cleveland Public Power – Ammon Danielson, Commissioner

Radio Communications – Brad Handke, Manager

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Catherine Troy, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery-Ferrell, Commissioner

PUBLIC WORKS – Frank D. Williams, Director**Administration:**

Administration – John Laird, Manager

Susie Claytor, Executive Commissioner, Public Auditorium

Kim Johnson, Interim Executive Commissioner, Prevention, Intervention and
Opportunity for Youth and Young Adults

Divisions:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner,
Commissioner

Park Maintenance and Properties – Toi Porch, Interim Commissioner

Parking Facilities – Kim Johnson, Commissioner

Property Management – Tom Nagle, Commissioner

Streets – Randell Scott, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Terrell H. Pruitt, Commissioner

WORKFORCE DEVELOPMENT & OHIO MEANS JOBS –

CLEVELAND/CUYAHOGA COUNTY – Michelle Rose, Executive Director

Cleveland Municipal Court

Justice Center

1200 Ontario Street

Cleveland, Ohio, 44113

www.clevelandmunicipalcourt.org

<i>Judge</i>	<i>Courtroom</i>
Presiding and Administrative Judge Michelle D. Earley	14-C
Judge Marilyn B. Cassidy	13-A
Judge Mark R. Majer	12-B
Judge Lauren C. Moore	15-A
Judge Andrea Nelson Moore	12-A
Judge Michael L. Nelson, Sr.	15-C
Judge Ann Clare Oakar	14-A
Judge Charles L. Patton, Jr.	14-B
Housing Court Judge W. Moná Scott	13-B
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	13-D
Judge Joseph J. Zone	14-D

Earle B. Turner – Clerk of Courts

Russell R. Brown, III – Court Administrator

Belinda Gest – Housing Court Administrator

Robert J. Furda – Chief Bailiff

Dean Jenkins – Chief Probation Officer

Gregory F. Clifford – Chief Magistrate

City Links

Board of Building Standards and Building Appeals

<http://planning.city.cleveland.oh.us/bza/bbs.html>

Board of Zoning Appeals

<http://planning.city.cleveland.oh.us/bza/cpc.html>

City Bids

Invitations to Bid

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/BID>

Requests for Proposals/Requests for Qualifications

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/RFP>

Cleveland Water

<http://www.clevelandwater.com/work-with-us/invitations-to-bid>

Water Pollution Control

http://wpc.clevelandwater.com/?page_id=3342

Cleveland Airports

<https://www.clevelandairport.com/about-us/business-cle/bids-rfps>

City Jobs

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/HumanResources>

<https://www.governmentjobs.com/careers/cleveland>

City of Cleveland

<http://www.city.cleveland.oh.us/>

City of Cleveland Charter and Codified Ordinances

<https://codelibrary.amlegal.com/codes/cleveland/latest/overview>

Civil Service Commission

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission>

Cleveland City Council

<http://www.clevelandcitycouncil.org/>

Cleveland Courts

Cleveland Municipal Court

<http://clevelandmunicipalcourt.org/home.html>

Clerk of Courts – Cleveland Municipal Court

<https://clevelandmunicipalcourt.org/clerk-of-courts>

Cleveland Housing Court

<http://clevelandhousingcourt.org/>