

City of Akron Form-Based Zoning Code

January 19, 2024

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CHAPTER 1.

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Div. 1.1. Legal Requirements

1.1.1. Purpose

The purpose of this Code is to guide the development of healthy, equitable, beautiful, and resilient neighborhoods. This Code specifies requirements for the physical character of the built environment in order to create a safe and interesting public realm that accommodates all modes of travel, including driving, transit, bicycling, and walking. This Code is intended to provide consistent, predictable results for all stakeholders.

1.1.2. Title

This document is the City of Akron Form-Based Zoning Code and is referred to or cited throughout this document as “this Code.”

1.1.3. Effective Date

- A. This Code was adopted by the City of Akron on **November 13, 2023** and became effective on **November 14, 2023**.

1.1.4. 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 area's natural assets.
 3. Guiding reinvestment in established neighborhoods, along corridors and in select nodes to allow for the preservation of the natural character of the area.
 4. Promoting development in select nodes and along key corridors to 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 the area.

C. This Code is intended to guide the city's prosperous and sustainable future by:

1. Promoting conservation of land, energy, and natural resources.
2. Promoting sustainable building and site design practices.
3. Providing standards for interconnected streets and development patterns that support all modes of travel, including driving, transit, walking, and bicycling.
4. Promoting diverse housing options.
5. Providing clear regulations and processes that result in predictable, efficient, and coordinated development review.

1.1.5. **Authority**

This Code is adopted under the authority of the Constitution of the State of Ohio and laws enacted pursuant to the Constitution, including but not limited to O.C.G.A. Title 36, Chapter 66. Zoning Procedures.

1.1.6. **Application**

A. **Territorial Application**

This Code applies as shown on the City of Akron Zoning Map.

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.

E. **Control Over Less Restrictive Laws and Regulations**

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

F. Conflicting Provisions

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

G. 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.

H. Existing Applications and Permits

1. Existing Building Permit

No provision of this Zoning Code requires any change in the plans, construction, or designated use of any structure for which a building permit has been issued prior to the effective date of this Code.

2. Prior Approval

The decision-making body that granted an approval prior to the adoption of this Code may renew or extend the time of a prior approval if the required findings or criteria for approval remain valid. Any extension granted must not exceed 1 year in length, and no more than 1 extension may be granted.

3. Expired Prior Approval

Any re-application for an expired project approval must meet the standards in effect at the time of re-application.

1.1.7. Separability

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

Div. 1.2. Districts

1.2.1. Districts Established

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

OPEN SPACE DISTRICTS	
OC	Open Space Conservation
OP	Open Space Park
NEIGHBORHOOD DISTRICTS	
CN	Conservation Neighborhood
N2.5	Neighborhood 2.5
N2.5-12	Neighborhood 2.5-12
N-F2.5	Neighborhood Flex 2.5
N-F3	Neighborhood Flex 3
MIXED-USE DISTRICTS	
MX3	Mixed-Use 3
MX-S3	Mixed-Use - Shopfront 3
MX-F	Mixed-Use - Flex
OVERLAY DISTRICTS	
-SB	Scenic Buffer Overlay

1.2.2. **Zoning Map**

In order to carry out the purposes and intent of this Code, the established zoning districts are mapped on the Official Zoning Map of the City of Akron. Refer to the Official Zoning Map to determine the zoning district for specific parcels.

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Div. 2.1. Applicability

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

2.1.1. General Applicability

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

		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Major Renovation	Maintenance & Repair
<u>Sec. 2.10.2</u>	Blocks	●	○	○	○	○	○	○
<u>Sec. 2.10.3</u>	Streetscape	●	●	●	○	○	○	○
<u>Sec. 2.10.4</u>	Site Width	●	○	○	○	○	○	○
<u>Sec. 2.10.5</u>	Dwelling Units Allowed	●	●	○	○	●	●	○
<u>Sec. 2.10.6</u>	Coverage	●	●	●	○	●	○	○
<u>Sec. 2.10.7</u>	Setbacks	●	●	○	○	○	○	○
<u>Sec. 2.10.8</u>	Transitions	●	●	●	○	●	●	○
<u>Sec. 2.10.9</u>	Building Frontage	●	●	○	○	○	○	○
<u>Sec. 2.10.10</u>	Parking Location	●	●	●	○	○	○	○
<u>Sec. 2.10.11</u>	Massing	●	●	○	○	○	○	○
<u>Sec. 2.10.12</u>	Ground Story	●	●	○	○	○	○	○
<u>Sec. 2.10.13</u>	Transparency	●	●	○	●	○	○	○
<u>Sec. 2.10.14</u>	Entrances	●	●	○	●	○	●	○

● = Standards apply ○ = Standards do not apply

- B. The applicability in the Table above may be further limited in the applicability provisions for each set of standards in Div. 2.10. Rules of Interpretation.

2.1.2. Project Types

A. New Construction

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

B. 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.

C. 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.

D. 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.

E. 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 *Div. 3.3 Use Standards* 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.

F. Major 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.

G. 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.

Div. 2.2 Open Space Districts

A. District Summaries

OC Open Space Conservation	OP Open Space Park
Open spaces that are maintained in a predominantly undeveloped state.	Open spaces that are maintained for passive and active recreation.
Limited structures are permitted	Structures serving the community are permitted
Native vegetation and landscape only	Native vegetation and landscape recommended

2.2.1 **OC** Open Space - Conservation

A. **OVERVIEW**

Open spaces that are maintained in a predominantly undeveloped state, and typically set aside for land conservation, passive recreation, and ecological restoration.

B. **SITE REQUIREMENTS**

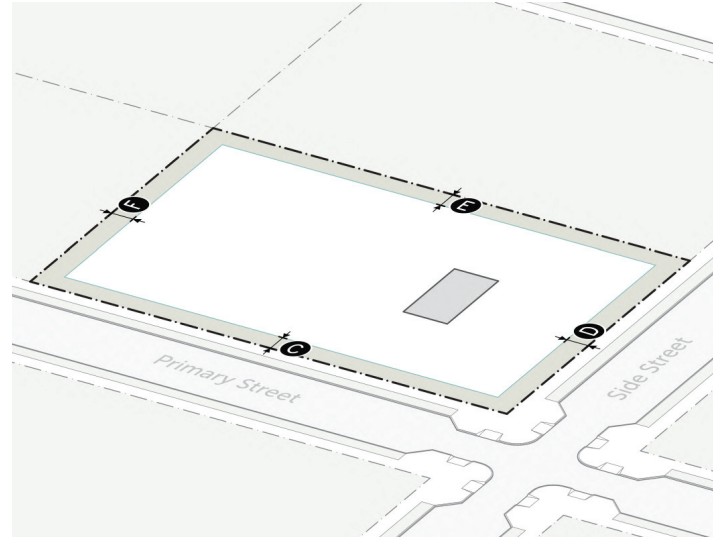
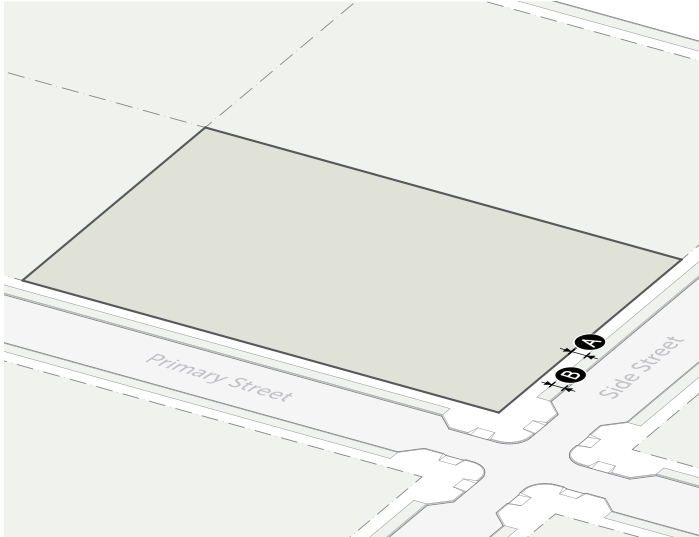
1. Substantial alteration to existing topography and landscape is prohibited, unless necessary to restore ecosystem services or a natural, predevelopment condition.
2. Native vegetation, such as grasses, shrubs, and trees, shall not be disturbed, unless necessary to control noxious or invasive vegetation or to remove dead, dying, or diseased vegetation. Where removal of native vegetation is unavoidable in order to facilitate civic uses or public access, native or naturalized vegetation must be replaced in kind elsewhere on the site.
3. Trails and related public amenities, such as boardwalks, pavilions, and observation towers, are permitted. These amenities shall not negatively impact sensitive habitats.
4. Engineered or constructed playing fields are prohibited.
5. Provide at least one pedestrian access point to the open space from each street that abuts the site.

C. EXAMPLES



OC Open Space - Conservation

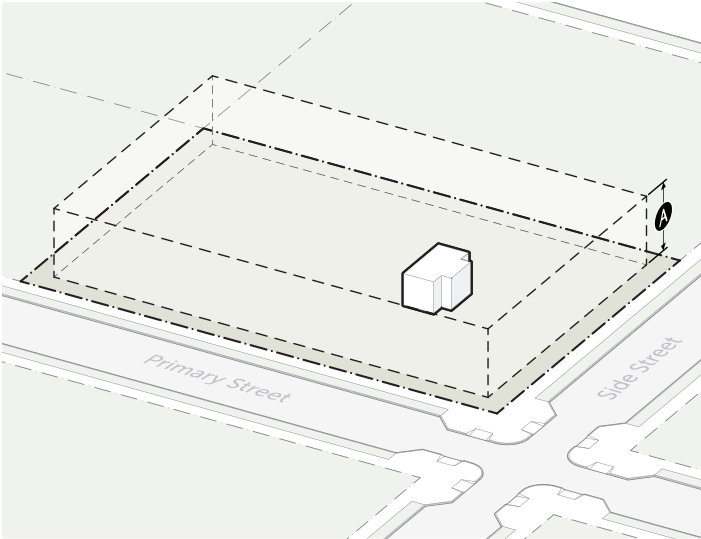
D. SITE STANDARDS



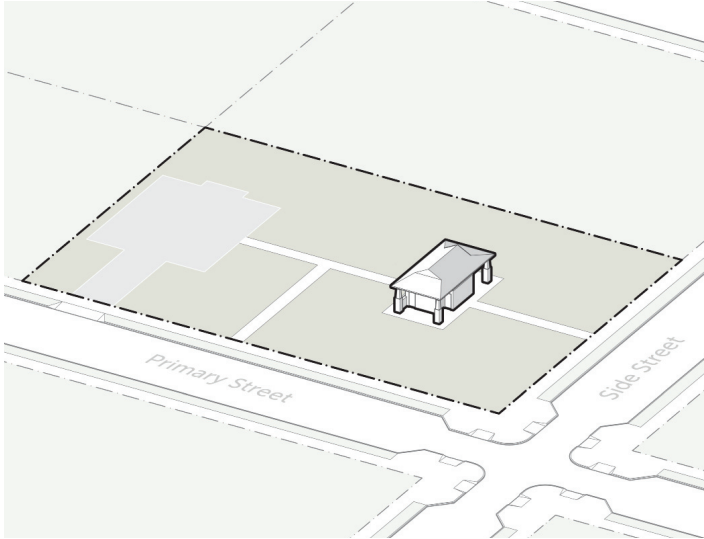
1. Blocks	Sec. 2.10.2
Block perimeter (max)	n/a
Block length (max)	n/a
2. Streetscape	Sec. 2.10.3
A Sidewalk width (min)	5'
Planting area	
B Width (min)	10'
Type	Tree lawn
Tree spacing (max)	50' avg. on center
3. Site Width	Sec. 2.10.4
Width (min)	n/a
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot	Not allowed
5. Coverage	Sec. 2.10.6
Building coverage (max)	3%
Outdoor amenity space (min)	n/a

6. Setbacks	Sec. 2.10.7
C Primary street (min/max)	25'
D Side street (min/max)	25'
E Rear (min)	25'
F Side (min)	25'
7. Transitions	Sec. 2.10.8
Transition setback (min)	n/a
Screening type required	n/a
8. Building Frontage	Sec. 2.10.9
Primary street (min)	n/a
Side street (min)	n/a
9. Parking Location	Sec. 2.10.10
Front yard	Not allowed
Side street yard	Not allowed
Rear yard	Allowed
Side yard	Allowed

E. BUILDING STANDARDS



1. Massing	Sec. 2.10.11
A Height in stories/feet (max)	2/32'
Width (max)	
Primary street	80'
Side street	60'
2. Ground Story	Sec. 2.10.12
Active depth (min)	
Primary street	15'
Active portion of primary street building frontage (min)	50%
Side street	n/a
Ground story height (min)	9'
Ground floor elevation	n/a



	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
Ground story (min)	20%	15%
Upper story (min)	15%	15%
Blank wall width (max)	15'	20'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	n/a
Street-facing entrance spacing (max)	n/a	n/a

2.2.3 **OP** Open Space - Park

A. **OVERVIEW**

Open spaces that may be maintained in a developed or undeveloped state, and reserved for passive and active recreation.

B. **SITE REQUIREMENTS**

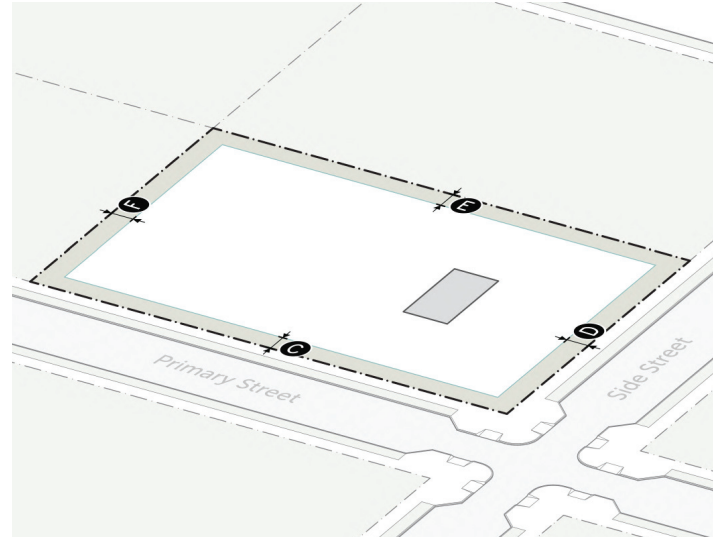
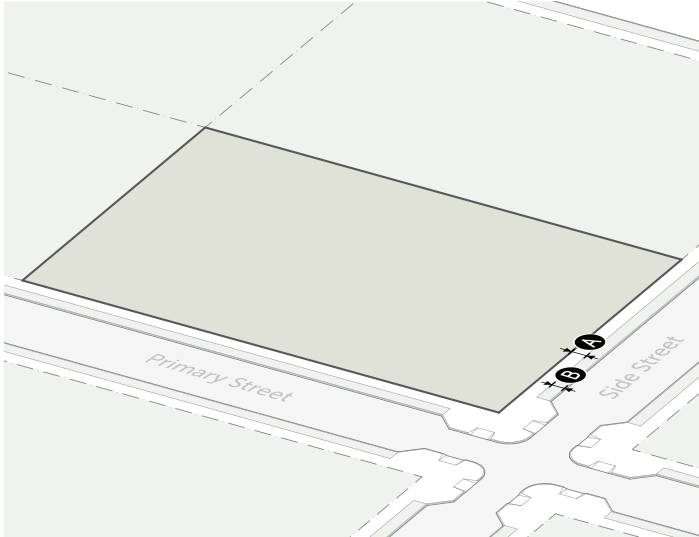
1. Substantial alteration to existing topography and landscape is discouraged, but may be undertaken as necessary to accommodate desirable public uses, to provide ecosystem services, or to restore a natural, predevelopment condition.
2. Disturbance of native vegetation, such as grasses, shrubs, and trees, shall be minimized, except as necessary to control noxious or invasive vegetation or to remove dead, dying, or diseased vegetation.
3. Public amenities and structures serving the community are permitted. These facilities shall not negatively impact sensitive habitats. Typical permitted facilities include:
 - a. Trails, boardwalks, greenways, community gardens, botanical gardens, and dog parks.
 - b. Picnic shelters, pavilions, outdoor amphitheaters, community centers, recreation centers, nature education facilities, and swimming pools.
 - c. Engineered or constructed playgrounds, playing fields, and sport courts.
4. Provide at least one pedestrian access point to the open space from each street that abuts the site.

C. EXAMPLES



OP Open Space - Park

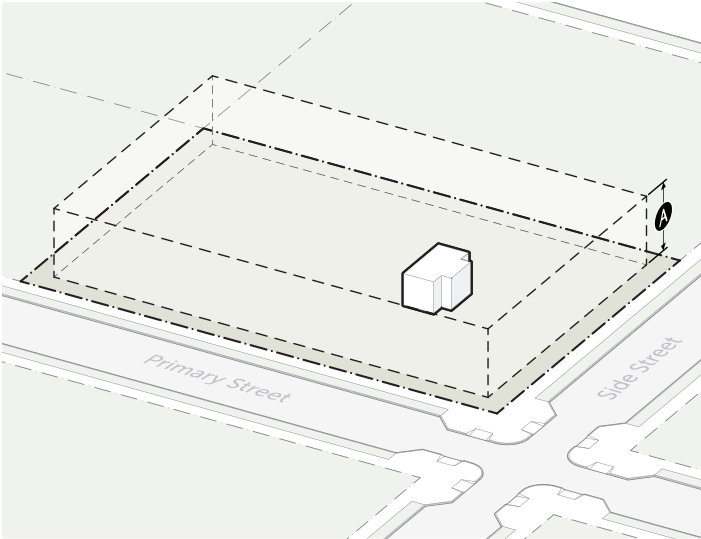
D. SITE STANDARDS



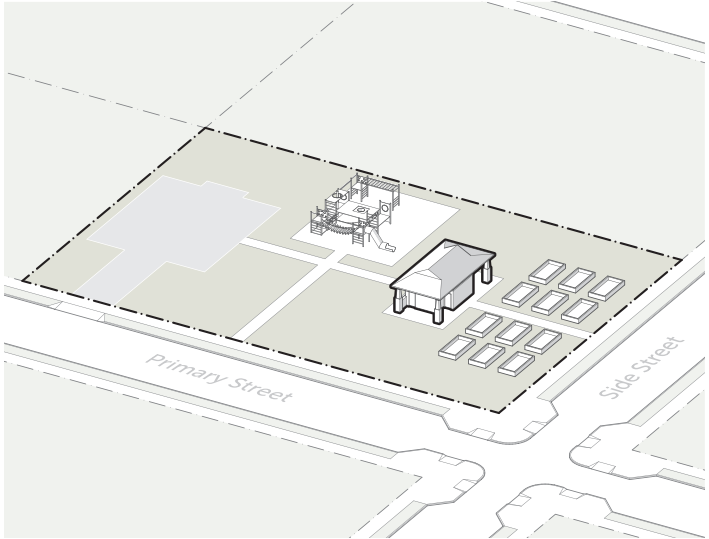
1. Blocks	Sec. 2.10.2
Block perimeter (max)	n/a
Block length (max)	n/a
2. Streetscape	Sec. 2.10.3
A Sidewalk width (min)	5'
Planting area	
B Width (min)	5'
Type	Tree lawn
Tree spacing (max)	50' avg. on center
3. Site Width	Sec. 2.10.4
Width (min)	n/a
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot	Not allowed
5. Coverage	Sec. 2.10.6
Building coverage (max)	5%
Outdoor amenity space (min)	n/a

6. Setbacks	Sec. 2.10.7
C Primary street (min/max)	25'
D Side street (min/max)	25'
E Rear (min)	15'
F Side (min)	15'
7. Transitions	Sec. 2.10.8
Transition setback (min)	n/a
Screening type required	n/a
8. Building Frontage	Sec. 2.10.9
Primary street (min)	n/a
Side street (min)	n/a
9. Parking Location	Sec. 2.10.10
Front yard	Not allowed
Side street yard	Not allowed
Rear yard	Allowed
Side yard	Allowed

E. BUILDING STANDARDS



1. Massing	Sec. 2.10.11
A Height in stories/feet (max)	2/35'
Width (max)	
Primary street	250'
Side street	100'
2. Ground Story	Sec. 2.10.12
Active depth (min)	15'
Active portion of street building frontage (min)	60%
Ground story height (min)	9'
Ground floor elevation	n/a



	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
Ground story (min)	30%	25%
Upper story (min)	15%	15%
Blank wall width (max)	15'	20'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	n/a
Street-facing entrance spacing (max)	n/a	n/a

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Div. 2.3 Neighborhood Districts

A. District Summaries

CN Conservation Neighborhood	N2.5 Neighborhood 2.5	N2.5-12 Neighborhood 2.5-12	N-F2.5 Neighborhood Flex 2.5	N-F3 Neighborhood Flex 3
Single-unit detached homes, duplexes, townhouses.	Small lot single-unit detached homes up to small apartment buildings. 12 dwelling units max. per building.	Small lot single-unit detached homes up to small apartment buildings. 12 dwelling units max. per building. Deeper front setbacks.	Small lot single-unit detached homes up to medium apartment buildings. Limited commercial space.	Townhouses up to medium apartment buildings. No single-unit detached homes. Limited commercial space.
2.5 stories/35' height (max)	2.5 stories/35' height (max)	2.5 stories/35' height (max)	2.5 stories/35' height (max)	3 stories/40' height (max)
70% min. open space required for sites	120' max. building width	120' max. building width	150' max. building width	150' max. building width

2.3.1 CN Conservation Neighborhood

A. OVERVIEW

A walkable neighborhood environment with a variety of housing options (including single-unit detached homes, duplexes, and townhouses) located with access to adjacent, permanently conserved open space.



B. SITE REQUIREMENTS

- 1. Project sites, not individual lots, located within a Conservation Neighborhood District must meet the following dimensional requirements:

District Summary	
Open space required (min)	70%
Dwelling units per acre (max)	12
% of lots abutting open space (min)	40%
Contiguous open space area (min)	60%
Width of open space (min)	50'

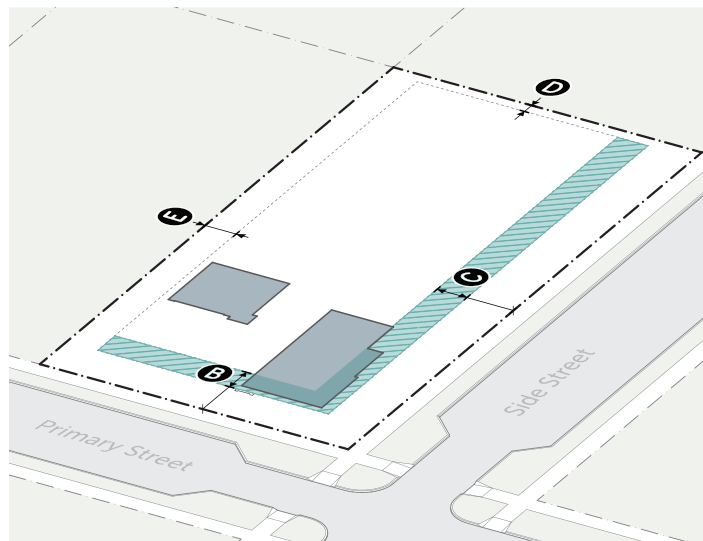
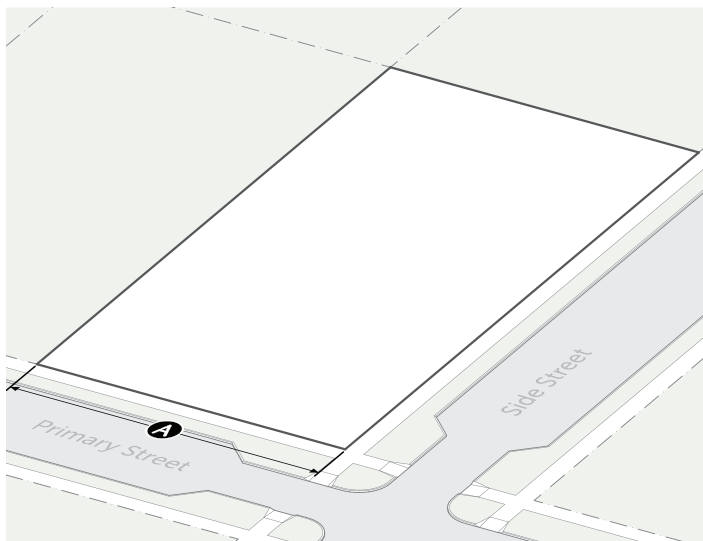
- 2. Open space is defined per Sec. 3.3.2.E. Existing wooded areas, bodies of water, wetlands, riparian corridors, and steep slopes shall be preserved.
- 3. In Conservation Neighborhoods, the number of dwelling units per acre applies to the land that remains after the required amount of open space has been allocated and preserved from development.
- 4. Project sites must contain a system of interconnected sidewalks and pedestrian/bicycle trails that allow connection through the open space to adjacent streets or trails, or where not bounded by streets, to the adjacent properties. Where no streets or trails exist on adjacent properties, trail stubs up to the adjacent property lines with 10' wide permanent access easements shall be provided.

C. EXAMPLES



CN Conservation Neighborhood

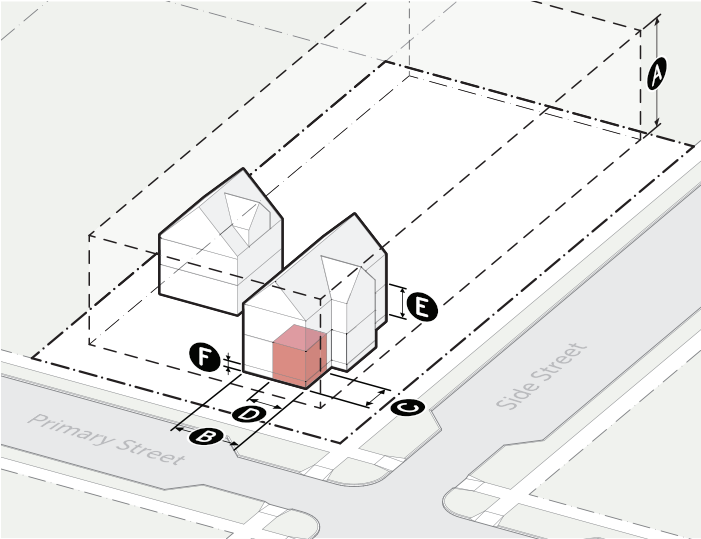
D. SITE STANDARDS



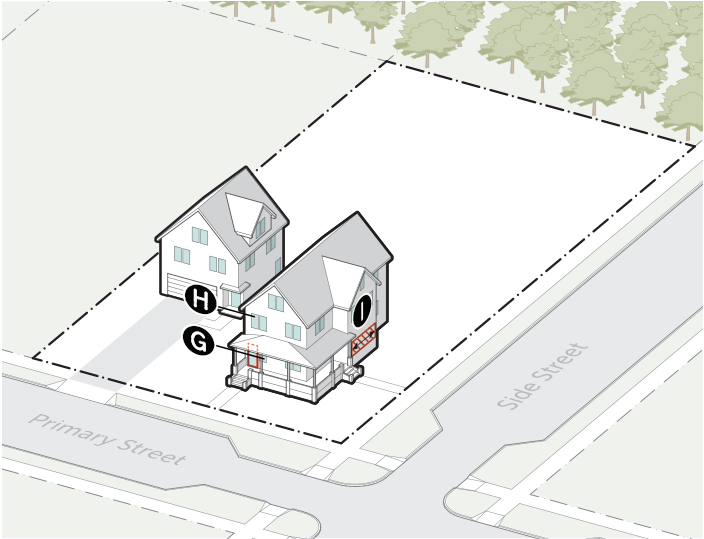
1. Blocks	Sec. 2.10.2
Block perimeter (max)	1800'
Block length (max)	600'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	5'
Planting area	
Width (min)	7'
Type	Tree lawn
Tree spacing (max)	50' avg. on center
3. Site Width	Sec. 2.10.4
A Width (min)	
Front access	40'
Side/rear access	18'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per acre (max)	12
Dwelling units per lot (max)	2
5. Coverage	Sec. 2.10.6
Building coverage (max)	n/a
Outdoor amenity space (min)	n/a

6. Setbacks	Sec. 2.10.7
B Primary street (min/max)	15'/30'
C Side street (min/max)	15'/30'
D Rear (min)	4'
E Side (min)	5'
Between attached units (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	n/a
Screening type required	n/a
8. Building Frontage	Sec. 2.10.9
Primary street (min)	n/a
Side street (min)	n/a
9. Parking Location	Sec. 2.10.10
Front yard	Not allowed
Side street yard	Allowed
Rear yard	Allowed
Side yard	Allowed

E. BUILDING STANDARDS



1. Massing	Sec. 2.10.11
A Height in stories/feet (max)	2.5/35'
Width (max)	
B Primary street, single-unit building	60'
Primary street, duplex or townhouse building	96'
Side street	n/a
2. Ground Story	Sec. 2.10.12
Active depth (min)	
C Primary street	15'
D Active portion of primary street building frontage (min)	50%
Side street	n/a
E Ground story height (min)	9'
F Ground floor elevation (min/max)	2'/5'



	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
G Ground story (min)	20%	15%
H Upper story (min)	15%	15%
I Blank wall width (max)	15'	20'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	n/a
Street-facing entrance spacing (max)	n/a	n/a

2.3.5 **N2.5** Neighborhood 2.5

A. OVERVIEW

A walkable neighborhood environment with a variety of moderate-intensity housing options (including single-unit detached homes on small lots, duplexes, townhouses, and small apartment buildings) located with access to nearby commercial and other uses.

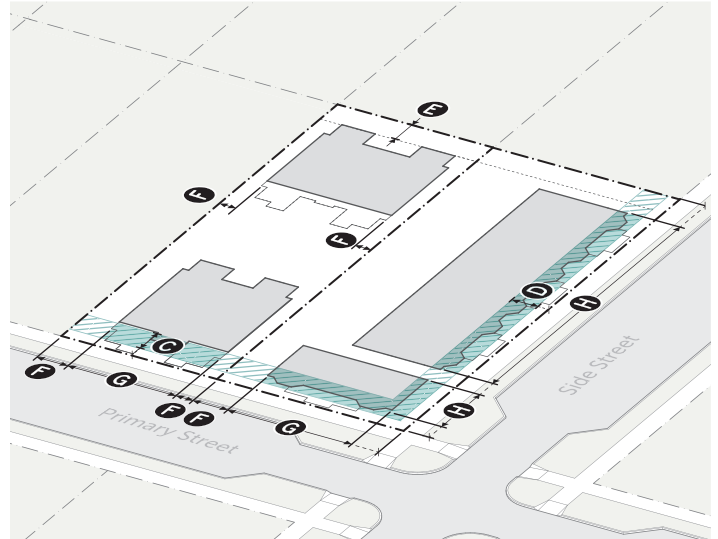
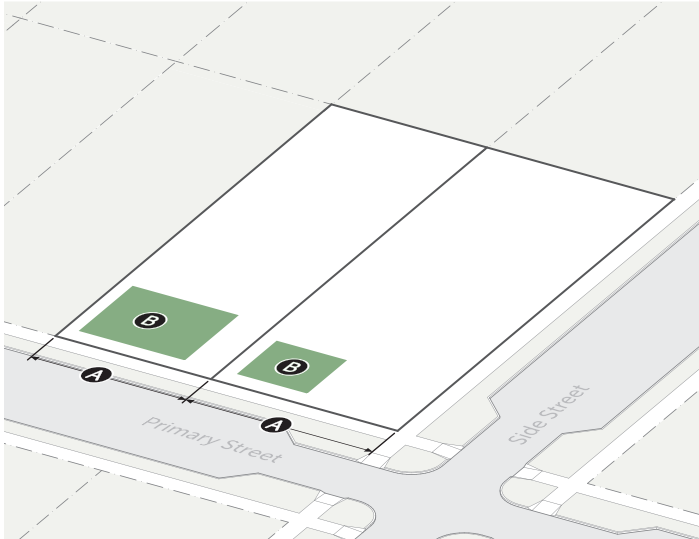


B. EXAMPLES



N2.5 Neighborhood 2.5

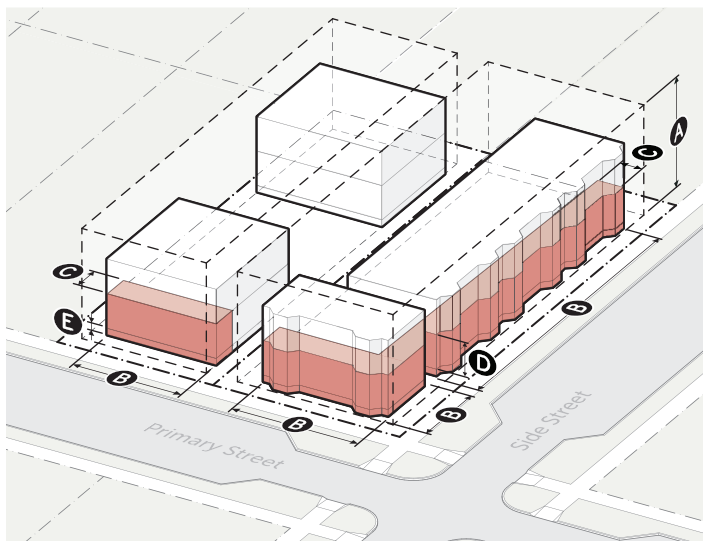
C. SITE STANDARDS



1. Blocks	Sec. 2.10.2
Block perimeter (max)	1800'
Block length (max)	600'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	5'
Planting area	
Width (min)	5'
Type	Tree lawn
Tree spacing (max)	40' avg. on center
3. Site Width	Sec. 2.10.4
A Width (min)	
Front access	32'
Side/rear access	18'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per building (max)	12
5. Coverage	Sec. 2.10.6
Building coverage (max)	
Less than 5 dwelling units	60%
5 or more dwelling units	70%
B Outdoor amenity space (min)	10%

6. Setbacks	Sec. 2.10.7
C Primary street (min/max)	Established Setback Range or 5'/15'
D Side street (min/max)	5'/15'
E Rear (min)	10'
F Side (min)	5'
Between attached units (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	n/a
Screening type required	n/a
8. Building Frontage	Sec. 2.10.9
G Primary street (min)	50%
H Side street (min)	40%
9. Parking Location	Sec. 2.10.10
Front street yard	Not allowed
Side street yard	Not allowed
Rear yard	Allowed
Side yard	Allowed

D. BUILDING STANDARDS



1. Massing	Sec. 2.10.11
A Height (max stories/feet)	2.5/35'
B Width (max)	120'
2. Ground Story	Sec. 2.10.12
C Ground story active depth (min)	9'
D Ground story height (min)	10'
E Ground floor elevation (min/max)	
Residential	2'/5'
Residential on high traffic volume street	2.5'/5.5'

	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
F Ground story (min)	30%	25%
G Upper story (min)	15%	15%
H Blank wall width (max)	15'	20'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
I Street-facing entrance spacing (max)	60'	75'

2.3.7 **N2.5-12** Neighborhood 2.5-12

A. OVERVIEW

A walkable neighborhood environment with a variety of moderate-intensity housing options, including single-unit detached homes on small lots, duplexes, townhouses, and small apartment buildings. Dwellings units are set back farther from the street and located with access to nearby commercial and other uses.

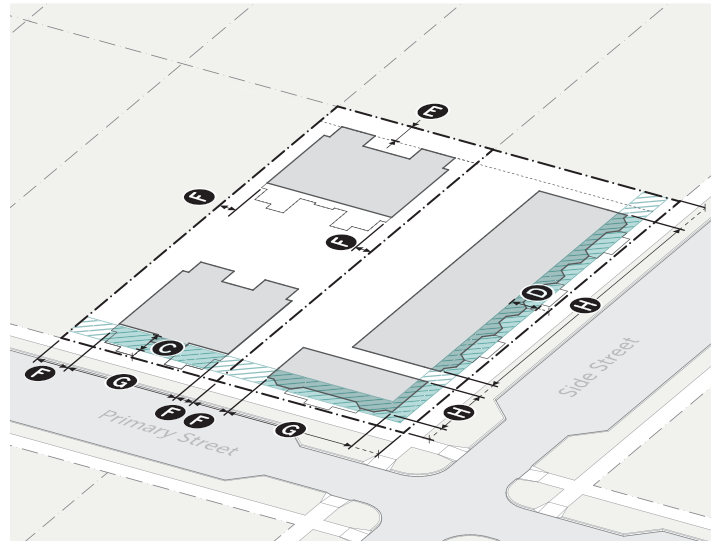
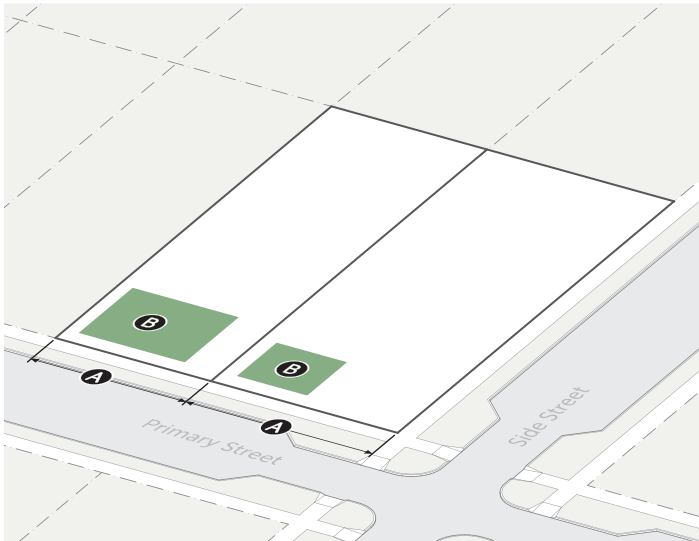


B. EXAMPLES



N2.5-12 Neighborhood 2.5-12

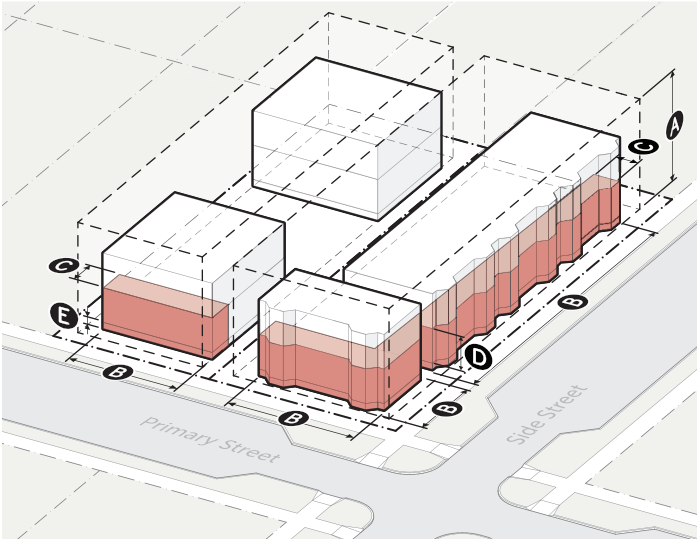
C. SITE STANDARDS



1. Blocks	Sec. 2.10.2
Block perimeter (max)	1800'
Block length (max)	600'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	5'
Planting area	
Width (min)	5'
Type	Tree lawn
Tree spacing (max)	40' avg. on center
3. Site Width	Sec. 2.10.4
A Width	
Front access (min)	26'
Side/rear access (min)	18'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per building (max)	12
5. Coverage	Sec. 2.10.6
Building coverage (max)	
Less than 5 dwelling units	60%
5 or more dwelling units	70%
B Outdoor amenity space (min)	10%

6. Setbacks	Sec. 2.10.7
C Primary street (min/max)	Established Setback Range or 15'/35'
D Side street (min/max)	5'/25'
E Rear (min)	10'
F Side	
Front access (min)	3'
Side/rear access (min)	5'
Between attached units (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	n/a
Screening type required	n/a
8. Building Frontage	Sec. 2.10.9
G Primary street (min)	40%
H Side street (min)	30%
9. Parking Location	Sec. 2.10.10
Front street yard	Not allowed
Side street yard	Not allowed
Rear yard	Allowed
Side yard	Allowed

D. BUILDING STANDARDS



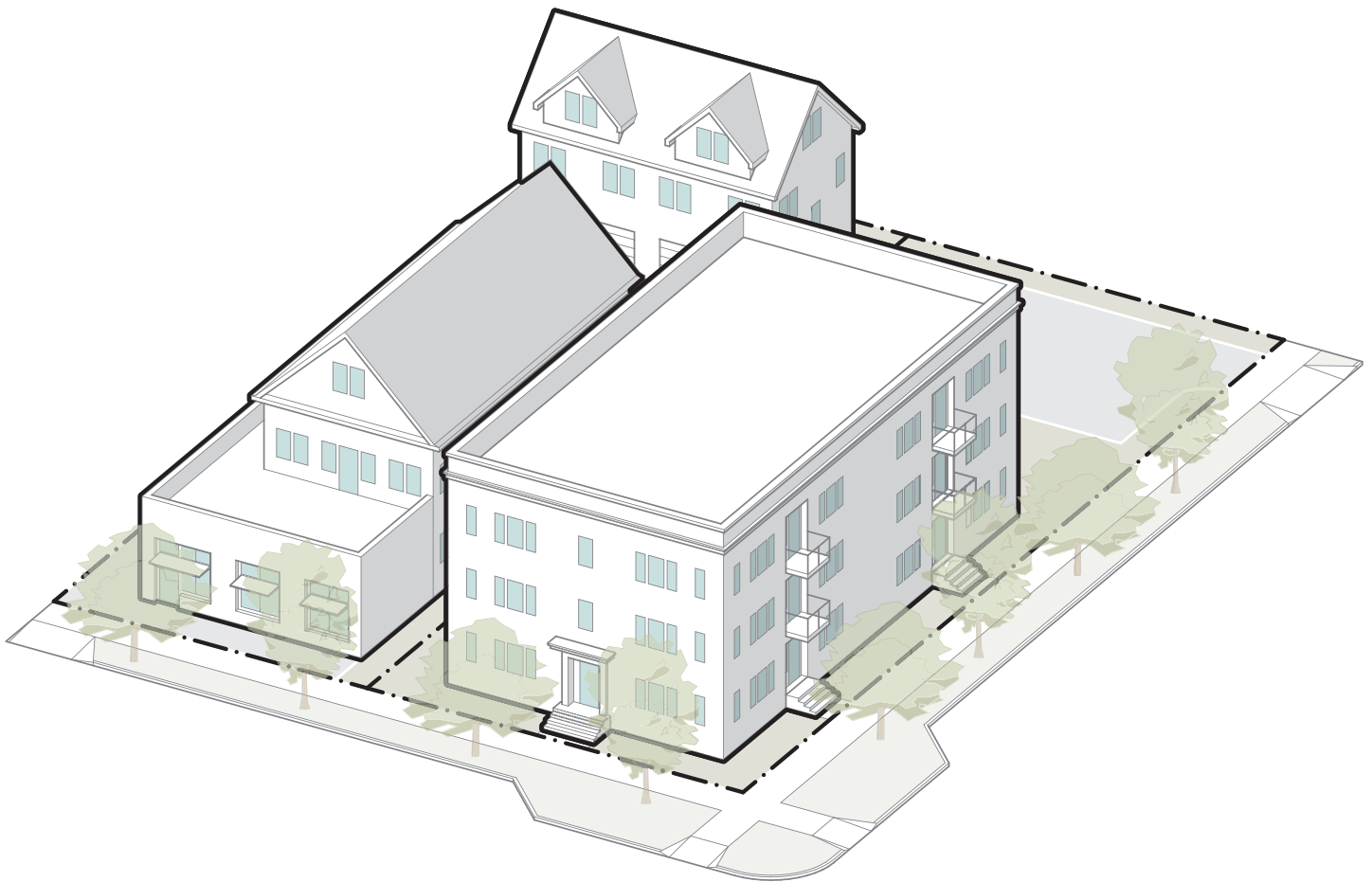
1. Massing	Sec. 2.10.11
Ⓐ Height (max stories/feet)	2.5/35'
Ⓑ Width (max)	120'
2. Ground Story	Sec. 2.10.12
Ⓒ Ground story active depth (min)	9'
Ⓓ Ground story height (min)	10'
Ⓔ Ground floor elevation (min/max)	
Residential	2'/5'
Residential on high traffic volume street	2.5'/5.5'

	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
Ⓕ Ground story (min)	30%	25%
Ⓖ Upper story (min)	15%	15%
Ⓗ Blank wall width (max)	15'	20'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
Ⓘ Street-facing entrance spacing (max)	60'	75'

2.3.10 **N-F2.5** Neighborhood Flex 2.5

A. OVERVIEW

A walkable neighborhood environment intended to accommodate a variety of moderate-intensity housing options (including single-unit detached homes, duplexes, townhouses, and small apartment buildings) and limited commercial uses that are compatible in scale and character with the neighborhood.

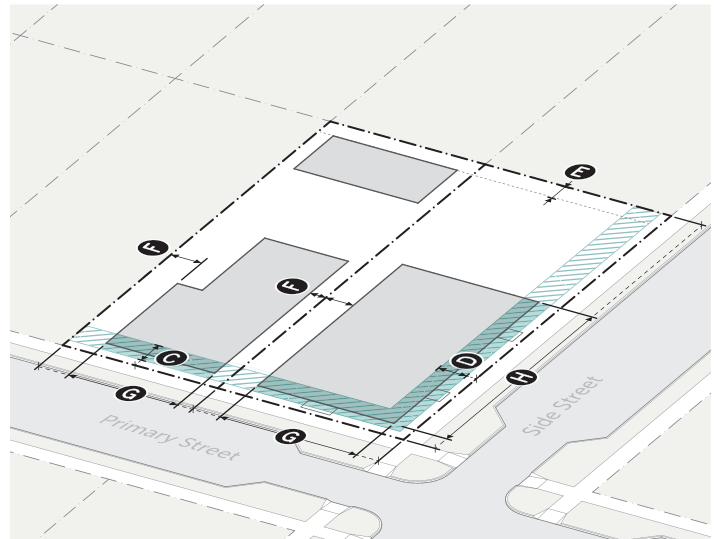
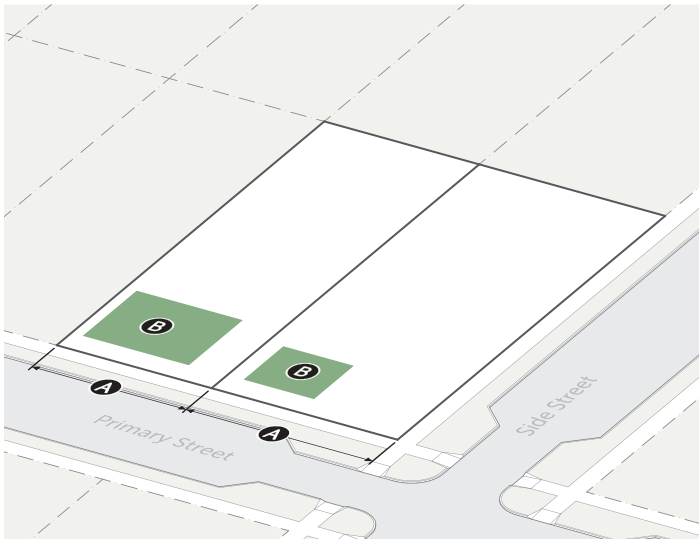


B. EXAMPLES



N-F2.5 Neighborhood Flex 2.5

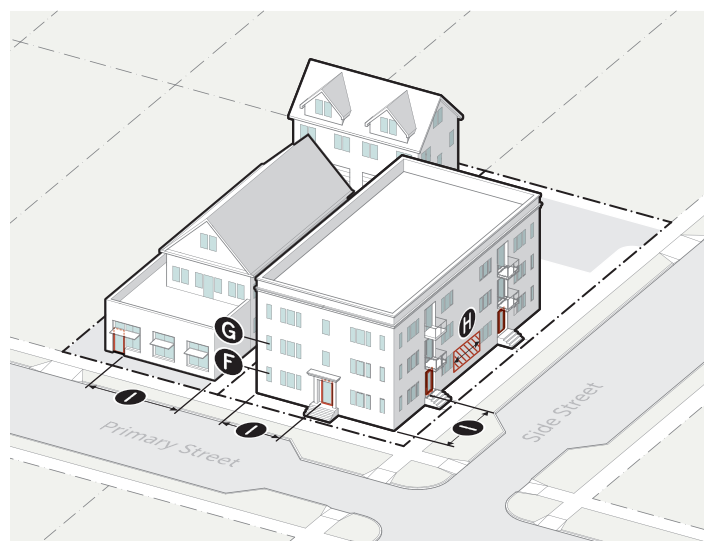
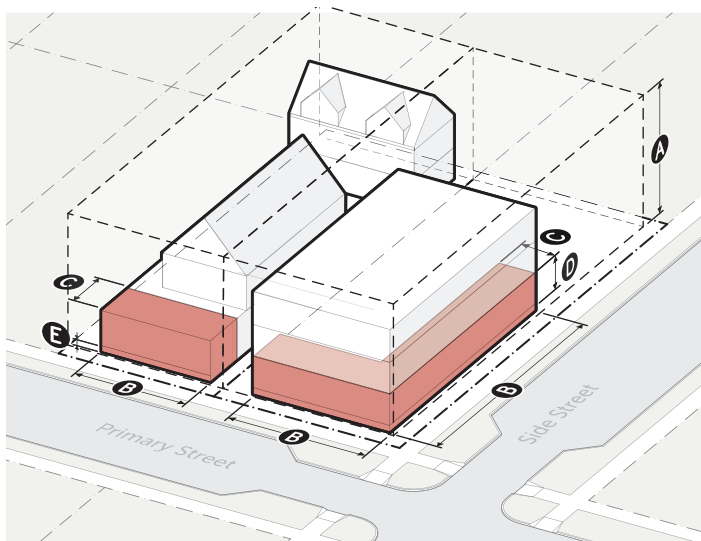
C. SITE STANDARDS



1. Blocks	Sec. 2.10.2
Block perimeter (max)	1600'
Block length (max)	500'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	5'
Planting area	
Width (min)	5'
Type	Tree lawn or grates
Tree spacing (max)	40' avg. on center
3. Site Width	Sec. 2.10.4
A Width	
Front access (min)	26'
Side/rear access (min)	18'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot (max)	n/a
5. Coverage	Sec. 2.10.6
Building coverage (max)	
Less than 5 dwelling units	75%
5 or more dwelling units	85%
B Outdoor amenity space (min)	10%

6. Setbacks	Sec. 2.10.7
C Primary street	
Residential (min/max)	Established Setback Range or 15'/30'
Nonresidential (min/max)	5'/15'
D Side street (min/max)	5'/20'
E Rear (min)	10'
F Side	5'
Front access (min)	3'
Side/rear access (min)	5'
Between attached units (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	8'
Screening type required	B2
8. Building Frontage	Sec. 2.10.9
G Primary street (min)	50%
H Side street (min)	30%
9. Parking Location	Sec. 2.10.10
Front street yard, Side street yard	Not allowed
Side yard	Allowed
Rear yard	Allowed

D. BUILDING STANDARDS



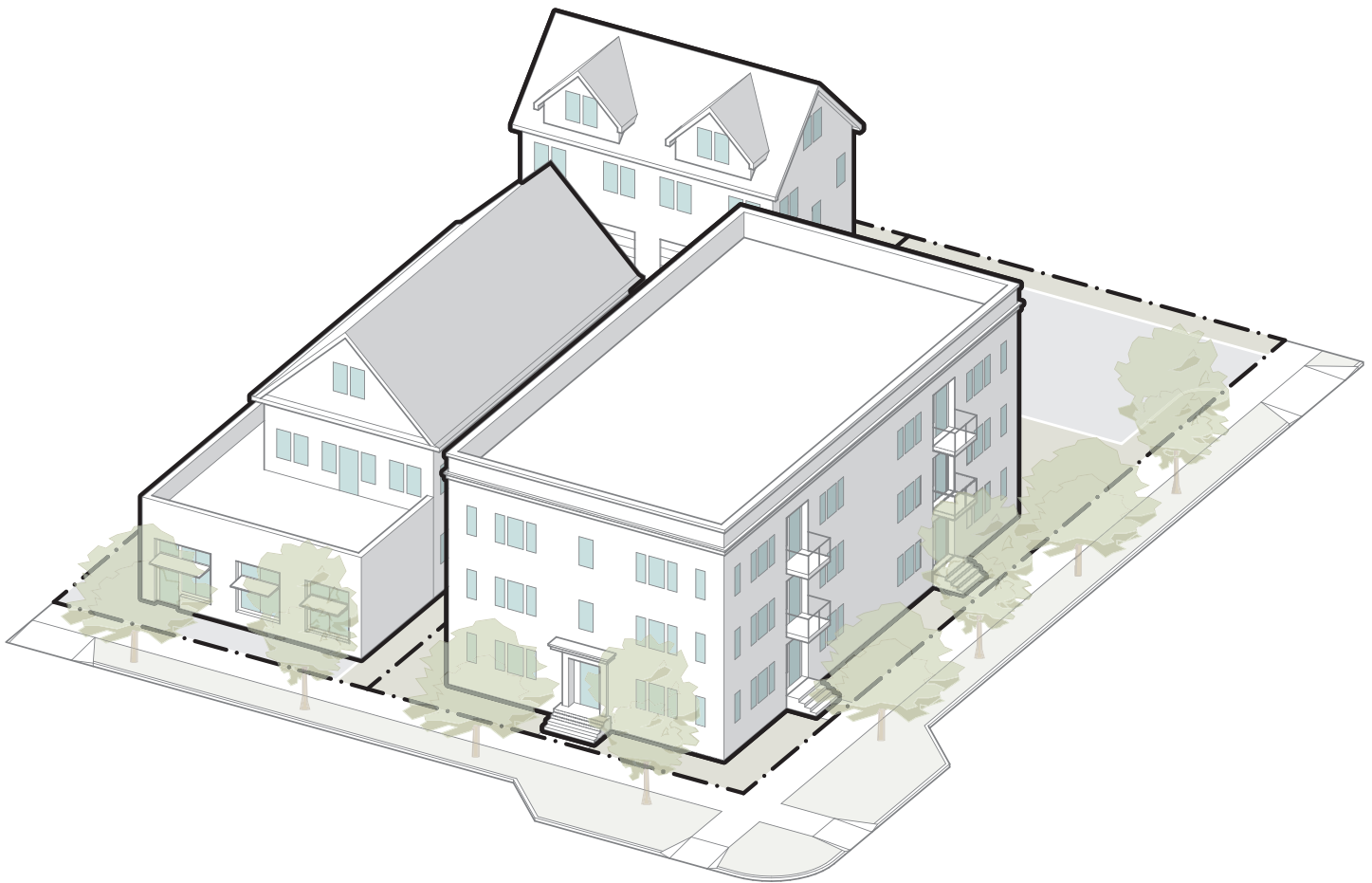
1. Massing	Sec. 2.10.11
Ⓐ Height (max stories/feet)	2.5/35'
Ⓑ Width (max)	150'
2. Ground Story	Sec. 2.10.12
Ⓒ Ground story active depth (min)	9'
Ⓓ Ground story height (min)	
Residential	10'
Nonresidential	10'
Ⓔ Ground floor elevation (min/max)	
Residential	2'/5'
Residential on high traffic volume street	2.5'/5.5'
Nonresidential	0'/2'

	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
Ⓕ Ground story (min)		
Residential	35%	25%
Nonresidential	50%	30%
Ⓖ Upper story (min)	20%	20%
Ⓗ Blank wall width (max)	15'	25'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
Ⓘ Street-facing entry spacing (max)	60'	75'

2.3.11 **N-F3** Neighborhood Flex 3

A. OVERVIEW

A walkable neighborhood environment intended to accommodate a variety of moderate-intensity housing options (including duplexes, townhouses, and small apartment buildings) and limited commercial uses that are compatible in scale and character with the neighborhood. Single-unit detached homes are not permitted.

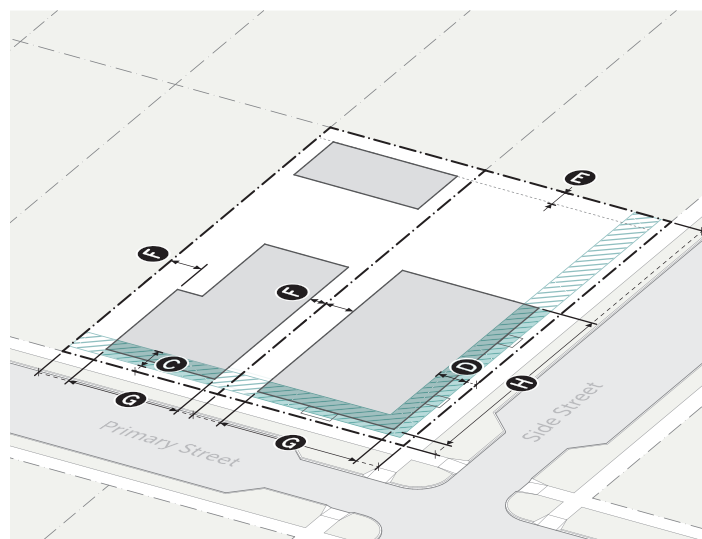
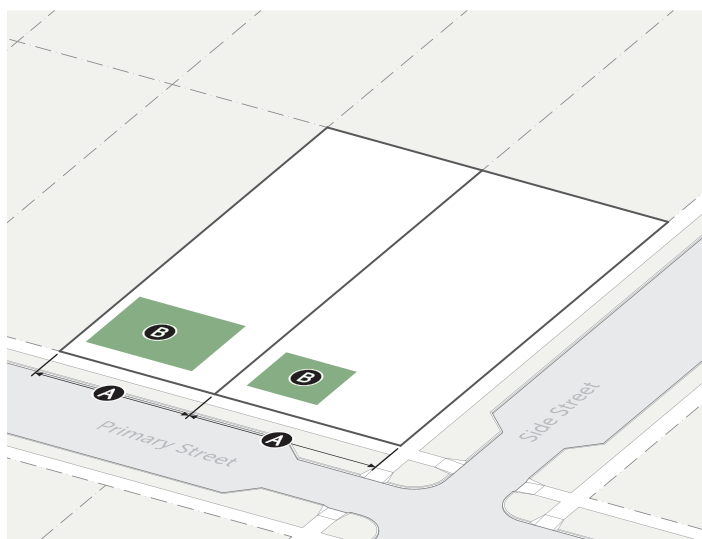


B. EXAMPLES



N-F3 Neighborhood Flex 3

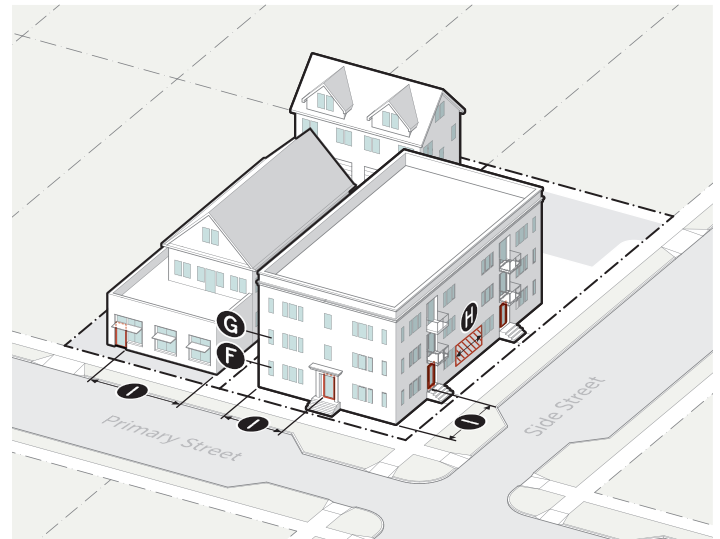
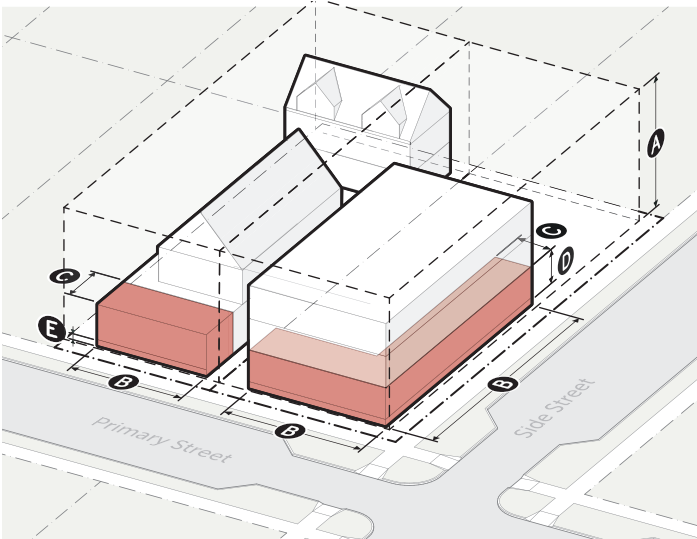
C. SITE STANDARDS



1. Blocks	Sec. 2.10.2
Block perimeter (max)	1600'
Block length (max)	500'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	5'
Planting area	
Width (min)	5'
Type	Tree lawn or grates
Tree spacing (max)	40' avg. on center
3. Site Width	Sec. 2.10.4
A Width (min)	
Front access	40'
Side/rear access	18'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot (max)	n/a
5. Coverage	Sec. 2.10.6
Building coverage (max)	
Less than 5 dwelling units	75%
5 or more dwelling units	85%
B Outdoor amenity space (min)	10%

6. Setbacks	Sec. 2.10.7
C Primary street (min/max)	5'/15'
D Side street (min/max)	5'/15'
E Rear (min)	10'
F Side (min)	5'
Between attached units (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	8'
Screening type required	B2
8. Building Frontage	Sec. 2.10.9
G Primary street (min)	65%
H Side street (min)	40%
9. Parking Location	Sec. 2.10.10
Front street yard	Not allowed
Side street yard	Not allowed
Side yard	Allowed
Rear yard	Allowed

D. BUILDING STANDARDS



1. Massing	Sec. 2.10.11
A Height (max stories/feet)	3/40'
B Width (max)	150'
2. Ground Story	Sec. 2.10.12
C Ground story active depth (min)	9'
D Ground story height (min)	
Residential	10'
Nonresidential	12'
E Ground floor elevation (min/max)	
Residential	2'/5'
Residential on high traffic volume street	2.5'/5.5'
Nonresidential	0'/2'

	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
F Ground story (min)		
Residential	35%	25%
Nonresidential	50%	30%
G Upper story (min)	20%	20%
H Blank wall width (max)	15'	25'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
I Street-facing entry spacing (max)	60'	75'

2.3.15 Summary of Allowed Neighborhood Uses

	CN	N2.5	N2.5-12	N-F2.5	N-F3	Additional Standards
A. RESIDENTIAL						
Household Living	P	P	P	P	P	
Group Living	P*	P*	P*	P*	P*	Sec. 3.3.1.B
Social Services	-	-	-	-	-	
B. PUBLIC						
Community Service	-	-	-	-	-	
Day Care	-	-	-	P*	P*	Sec. 3.3.2.B
Education	R	P	P	P	P	
Government	-	-	-	-	-	
Parks & Open Space	P	P	P	P	P	
Religious Assembly	R	R	R	R	R	Sec. 3.3.2.F
Urban Agriculture	P*	P*	P*	P*	P*	Sec. 3.3.2.G
C. COMMERCIAL						
Adult Entertainment	-	-	-	-	-	
Animal Care	-	-	-	-	-	
Auto-Related	-	-	-	-	-	
Eating & Drinking	-	-	-	P*	P*	Sec. 3.3.3.D
Indoor Entertainment	-	-	-	-	-	
Lodging	P*	-	-	P*	P*	Sec. 3.3.3.F
Medical	-	-	-	P*	P*	Sec. 3.3.3.G
Office	-	-	-	P*	P*	Sec. 3.3.3.H
Outdoor Recreation	-	-	-	-	-	
Personal Service	-	-	-	P*	P*	Sec. 3.3.3.J
Retail	-	-	-	P*	P*	Sec. 3.3.3.K
Vehicle Sales & Rental	-	-	-	-	-	
D. INDUSTRIAL						
Heavy Industrial	-	-	-	-	-	
Light Industrial	-	-	-	-	-	
Maker Space	-	-	-	P*	P*	Sec. 3.3.4.C
Research & Development	-	-	-	-	-	
Self-Storage	-	-	-	-	-	
Warehouse & Distribution	-	-	-	-	-	

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

Div. 2.4 Mixed-Use Districts

A. District Summaries

MX3 Mixed-Use 3	MX-S3 Mixed-Use - Shopfront 3	MX-F Mixed-Use - Flex
Small to medium-scale mixed-use buildings	Medium to large-scale mixed-use buildings with retail on ground stories	Light industrial and commercial uses in small to large-scale buildings
3 stories/45' height (max)	2 stories height (min) 3-4 stories/55' height (max)	50' height (max)
200' building width (max)	250' building width (max)	200' building width (max)

2.4.2 **MX3** Mixed-Use 3

A. OVERVIEW

Small to medium-sized mixed-use buildings intended to accommodate a variety of residential and commercial uses in a vibrant, pedestrian-friendly environment. Uses are flexible (allowing mixed-use, all residential, or all commercial buildings), but tall ground stories with large areas of transparent glazing are required to accommodate retail-ready ground stories.

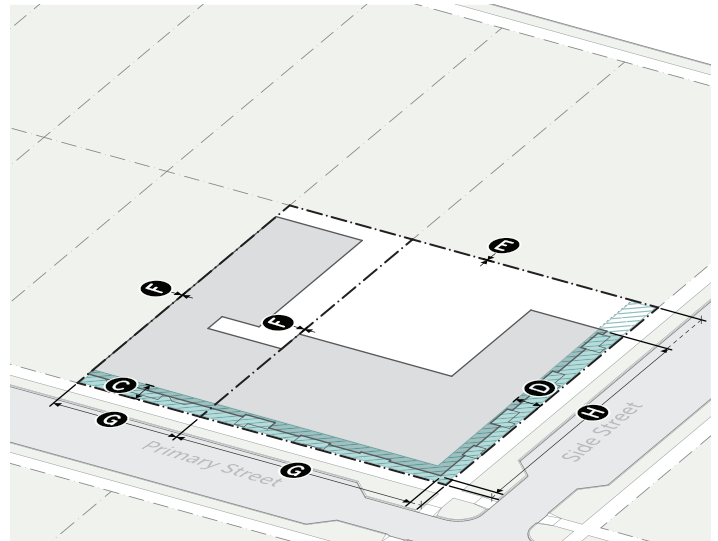


B. EXAMPLES



MX3 Mixed-Use 3

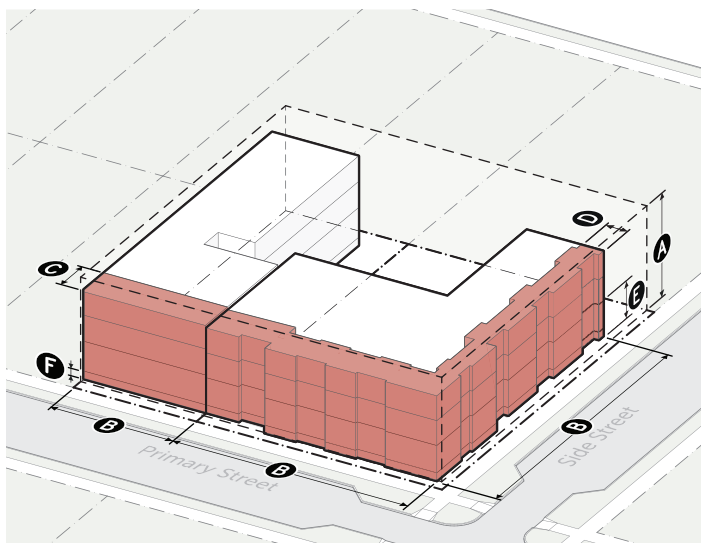
C. SITE STANDARDS



1. Blocks	Sec. 2.10.2
Block perimeter (max)	1600'
Block length (max)	500'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	8'
Planting area	
Width (min)	6'
Type	Tree lawn or grates
Tree spacing (max)	30' avg. on center
3. Site Width	Sec. 2.10.4
A Width (min)	
Front access	40'
Side/rear access	20'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot (max)	n/a
5. Coverage	Sec. 2.10.6
Building coverage (max)	80%
B Outdoor amenity space (min)	10%

6. Setbacks	Sec. 2.10.7
C Primary street (mix/max)	0'/10'
D Side street (min/max)	0'/10'
E Rear (min)	0'
F Side (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	10'
Screening type required	B2
8. Building Frontage	Sec. 2.10.9
G Primary street (min)	75%
H Side street (min)	40%
9. Parking Location	Sec. 2.10.10
No parking between the building and the street	

D. BUILDING STANDARDS



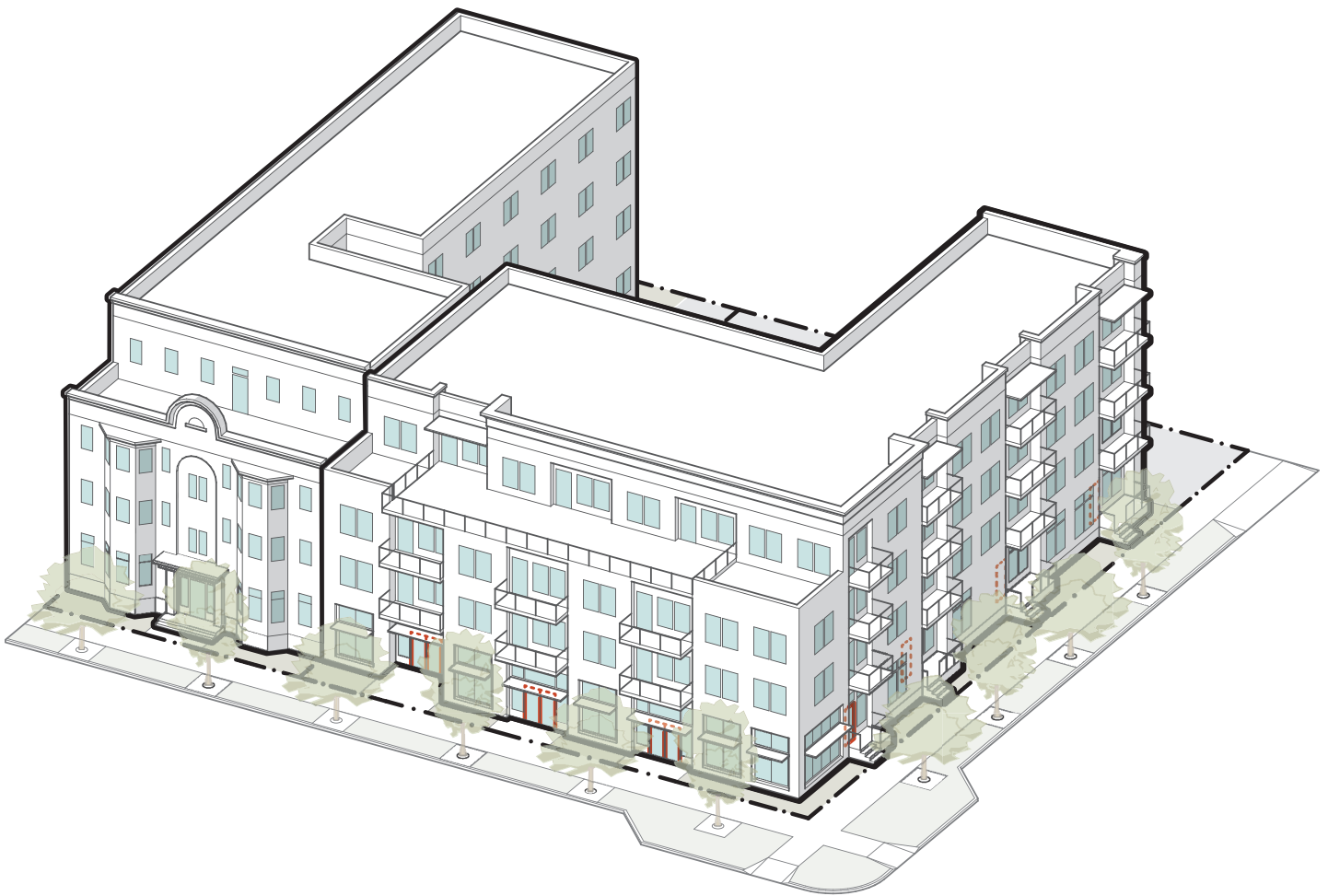
1. Massing	Sec. 2.10.11
A Height (max stories/feet)	3/45'
B Width (max)	200'
Active depth (min)	
C Primary street	15'
D Side street	9'
2. Ground Story	Sec. 2.10.12
E Ground story height (min)	
Residential	10'
Nonresidential	12'
F Ground floor elevation (min/max)	
Residential	2'/5'
Residential on high traffic volume street	2.5'/5.5'
Nonresidential	0'/2'

	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	50%	35%
H Upper story (min)	15%	15%
I Blank wall width (max)	20'	30'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
J Street-facing entry spacing (max)	75'	85'

2.4.11 **MX-S3** Mixed-Use - Shopfront 3

A. OVERVIEW

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

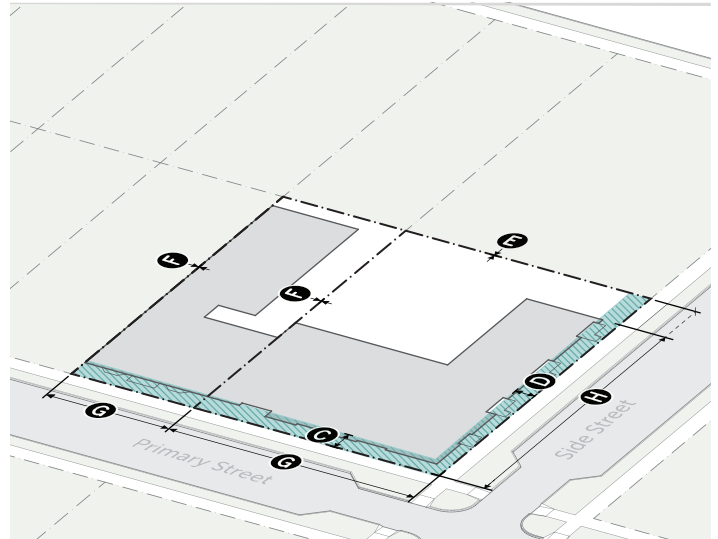
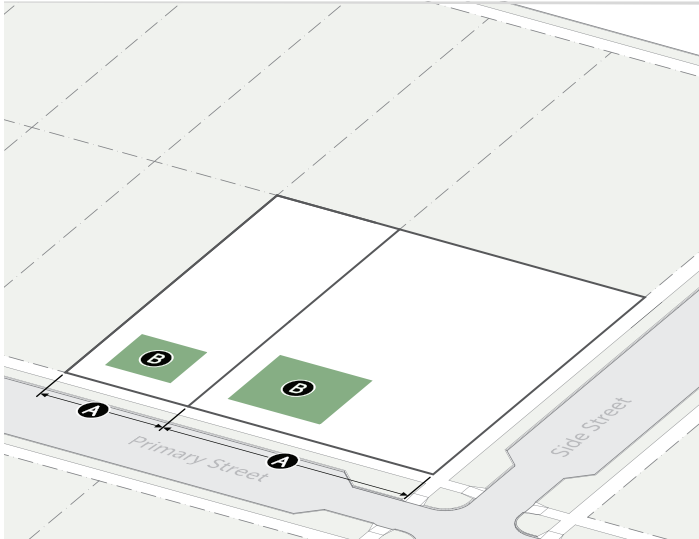


B. EXAMPLES



MX-S3 Mixed-Use - Shopfront 3

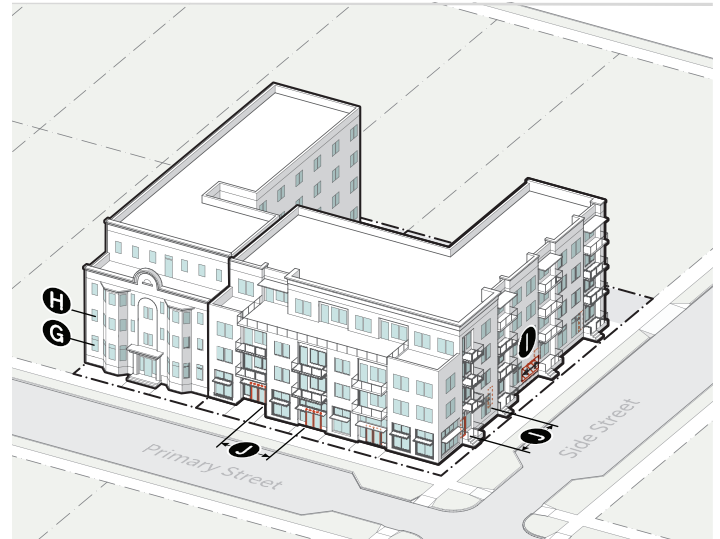
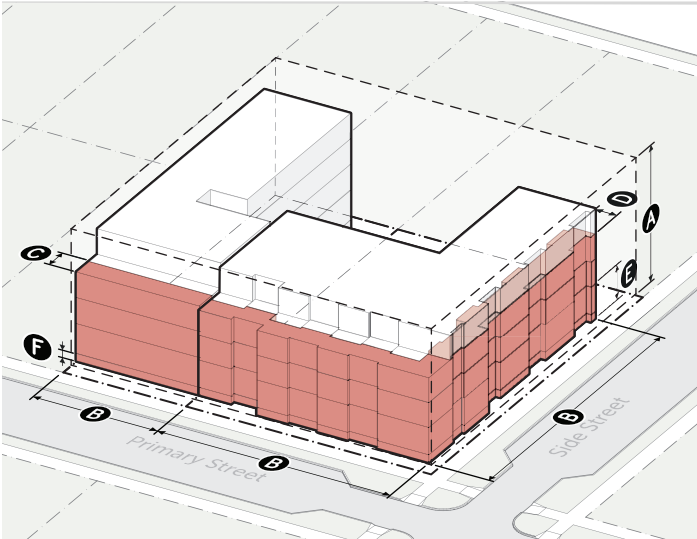
C. SITE STANDARDS



1. Blocks	Sec. 2.10.2
Block perimeter (max)	1500'
Block length (max)	450'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	8'
Planting area	
Width (min)	6'
Type	Tree lawn or grates
Tree spacing (max)	25' avg. on center
3. Site Width	Sec. 2.10.4
A Width (min)	
Front access	40'
Side/rear access	25'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot (max)	n/a
5. Coverage	Sec. 2.10.6
Building coverage (max)	80%
B Outdoor amenity space (min)	10%

6. Setbacks	Sec. 2.10.7
C Primary street (min/max)	0'/5'
D Side street (min/max)	0'/5'
E Rear (min)	0'
F Side (min)	0'
7. Transitions	Sec. 2.10.8
Transition setback (min)	10'
Screening type required	B2
8. Building Frontage	Sec. 2.10.9
G Primary street (min)	90%
H Side street (min)	60%
9. Parking Location	Sec. 2.10.10
No parking between the building and the street	

D. BUILDING STANDARDS



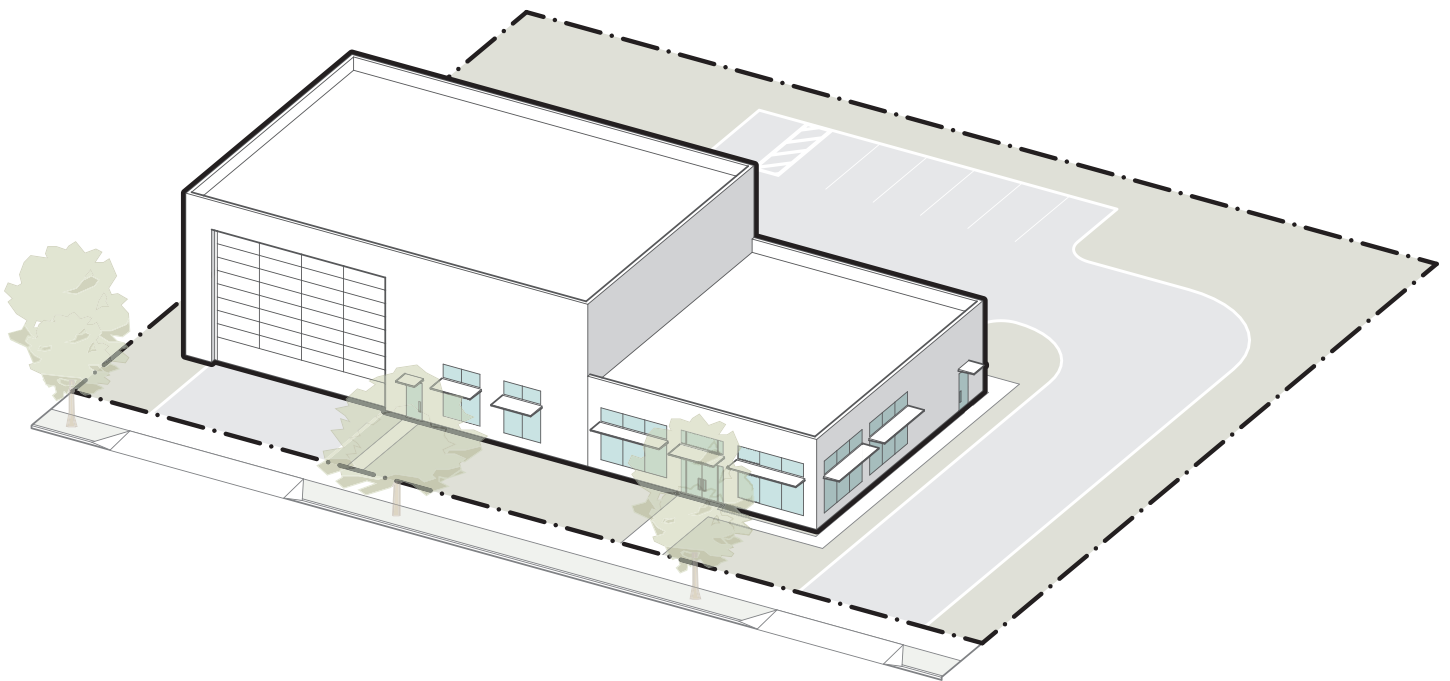
1. Massing	Sec. 2.10.11
A Height	
Stories (min)	2
Stories/feet (max)	
Without stepback	3/45'
With stepback	4/55'
Stepback depth (min)	15'
B Width (max)	250'
Active depth (min)	
C Primary street	15'
D Side street	9'
2. Ground Story	Sec. 2.10.12
E Ground story height (min)	
Residential	12'
Nonresidential	14'
F Ground floor elevation (min/max)	
Residential	2'/5'
Nonresidential	0'/2'

	Primary St.	Side St.
3. Transparency	Sec. 2.10.13	
G Ground story (min)		
Residential	35%	30%
Nonresidential	60%	40%
H Upper story (min)	20%	20%
I Blank wall width (max)	15'	20'
4. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
J Street-facing entry spacing (max)	60'	75'

2.4.21 **MX-F** Mixed-Use - Flex

A. OVERVIEW

Commercial, light industrial, maker space, lodging, office, and warehousing uses, including mixed-use buildings with tall ground stories with areas of transparent glazing to accommodate retail-ready ground stories.

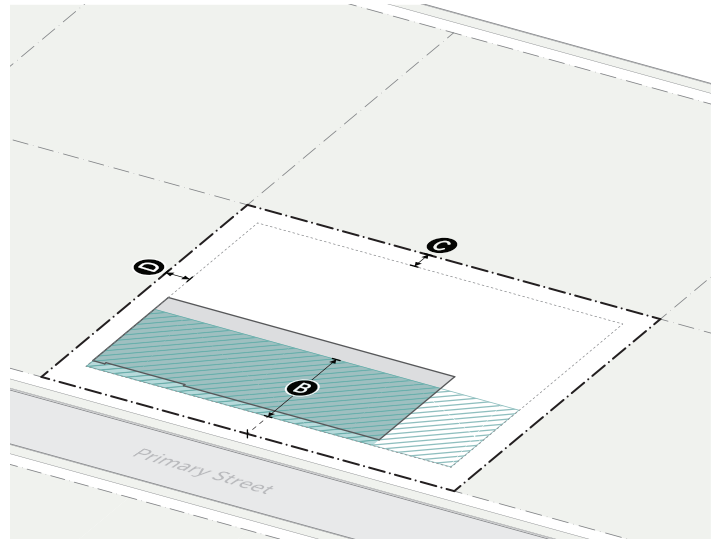
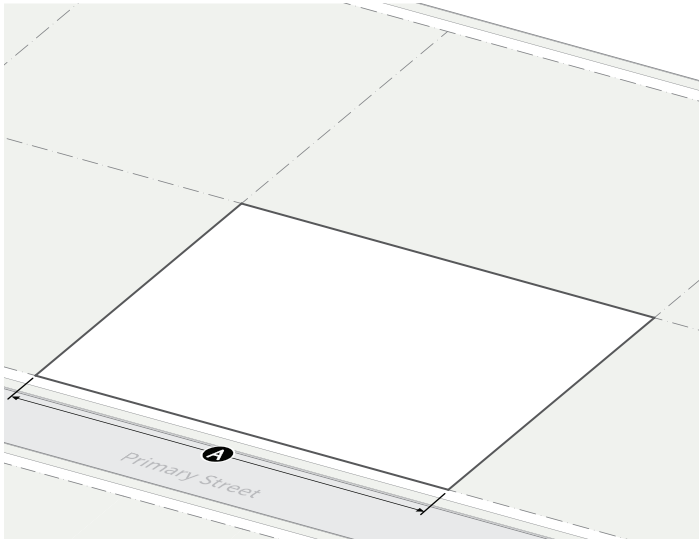


B. EXAMPLES



MX-F Mixed-Use - Flex

C. SITE STANDARDS

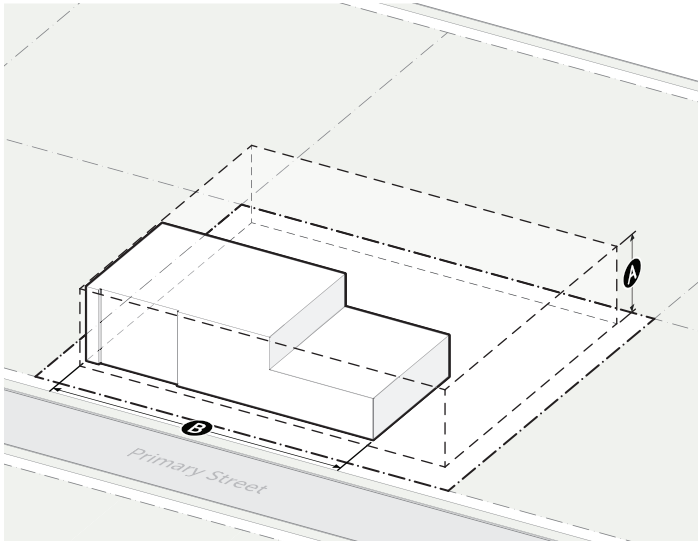


1. Blocks	Sec. 2.10.2
Block perimeter (max)	1600'
Block length (max)	500'
2. Streetscape	Sec. 2.10.3
Sidewalk width (min)	5'
Planting area	
Width (min)	6'
Type	Tree lawn or grates
Tree spacing (max)	50' avg. on center
3. Site Width	Sec. 2.10.4
A Width (min)	80'
4. Dwelling Units	Sec. 2.10.5
Dwelling units per lot (max)	n/a
5. Coverage	Sec. 2.10.6
Building coverage (max)	80%
Outdoor amenity space (min)	n/a

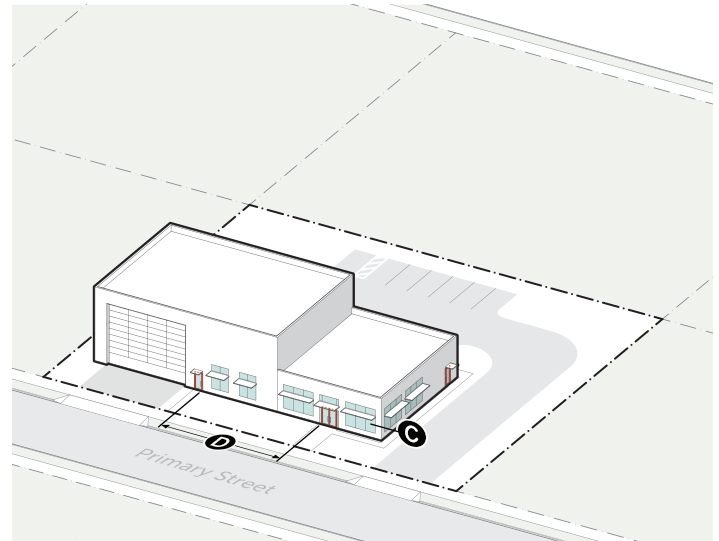
6. Setbacks	Sec. 2.10.7
B Primary street (min/max)	15'/50'*
Side street (min/max)	15'/50'
C Rear (min)	10'
D Side (min)	10'
7. Transitions	Sec. 2.10.8
Transition setback (min)	15'
Screening type required	B2
8. Building Frontage	Sec. 2.10.9
Primary street (min)	n/a
Side street (min)	n/a
9. Parking Location	Sec. 2.10.10
No parking between the building and the primary street.	

* Buildings must meet the setback requirements of all overlay districts on the site.

D. BUILDING STANDARDS



1. Massing	Sec. 2.10.11
Ⓐ Height (max)	50'
Ⓑ Width (max)	200'
2. Ground Story	Sec. 2.10.12
Ground story active depth (min)	n/a
Ground story height (min)	n/a
Ground floor elevation (min/max)	n/a



	Primary St.	Side St.
1. Transparency	Sec. 2.10.13	
Ⓒ Ground story (min)	25%	15%
Upper story (min)	15%	15%
Blank wall width (max)	n/a	n/a
2. Entrances	Sec. 2.10.14	
Street-facing entrance	Required	Required
Ⓓ Street-facing entry spacing (max)	70'	80'

2.4.25 Summary of Allowed Mixed-Use Uses

	MX3	MX-S3	MX-F	Additional Standards
A. RESIDENTIAL				
Household Living	P	P*	-	Sec. 3.3.1.A
Group Living	C	C	-	Sec. 3.3.1.B
Social Services	C	C	-	
B. PUBLIC				
Community Service	P*	P*	P*	Sec. 3.3.2.A
Day Care	P	P	P	
Education	P	P	P	
Government	P	P	P	
Parks & Open Space	P	P	P	
Religious Assembly	P*	P*	P*	Sec. 3.3.2.F
Urban Agriculture	P*	P*	P*	Sec. 3.3.2.G
C. COMMERCIAL				
Adult Entertainment	-	-	-	
Animal Care	P*	P*	P*	Sec. 3.3.3.B
Auto-Related	P*	-	P*	Sec. 3.3.3.C
Eating & Drinking	P	P	P	
Indoor Entertainment	P	P	P	
Lodging	P	P*	P	Sec. 3.3.3.F
Medical	P	P*	P	Sec. 3.3.3.G
Office	P	P*	P	Sec. 3.3.3.H
Outdoor Recreation	-	-	P*	Sec. 3.3.3.I
Personal Service	P	P	P	Sec. 3.3.3.J
Retail	P	P	P	Sec. 3.3.3.K
Vehicle Sales & Rental	-	-	-	
D. INDUSTRIAL				
Heavy Industrial	-	-	-	
Light Industrial	-	-	P	
Maker Space	P	P	P	
Research & Development	-	-	P	
Self-Storage	-	-	-	
Warehouse & Distribution	-	-	P	
Key: P Permitted Use * Use Standard applies R Relief C Conditional Use - Not Permitted				

Div. 2.9. **Overlay Districts**

A. **Overlay District Summary**

-SB
50-foot buffer measured from edge of existing pavement
Focused on preserving or recreating natural buffers along key roadways. Forested and meadow buffers apply based on existing vegetation.
No building allowed within the buffer area, including no new fences or walls. Entrance signs allowed.

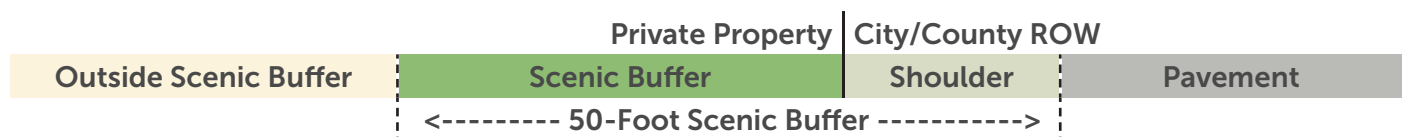
2.9.1. -SB Scenic Buffer Overlay

A. Overview

The Scenic Buffer Overlay preserves or restores the natural rural character along specified streets by limiting development within the buffer and requiring the planting of native vegetation along the roadside. The Scenic Buffer Overlay provides supplemental standards that apply in addition to all of the standards of the base zoning district.

B. Extent of Required Scenic Buffer

The required scenic buffer extends for a distance of 50 feet parallel to and measured from the existing (or any proposed) edge of pavement of the designated street. The scenic buffer includes any City or County rights-of-way, as well as any private property. Obligations for planting on private property do not include any activity in public rights-of-way.



C. Development Standards

1. Buffer Types and Applicability

Buffer types and appropriate planting are determined by the Administrator.

FOREST BUFFER



Forest Buffer Example.

MEADOW BUFFER



Meadow Buffer Example.

a. Forest Buffer

- i. A forest buffer is required whenever the required buffer area is predominately covered in trees over 20 feet in height.
- ii. Existing forested areas are not allowed to be cleared in order to create a meadow buffer.

b. Meadow Buffer

A meadow buffer is allowed wherever previous disturbance such as tree clearing or prior mowing has left either no trees, or only periodic trees within the buffer area.

2. Scenic Buffer Planting

- a. Scenic buffer planting materials must meet the requirements of 4.3.4, Plants and Plant Material.
- b. Where additional planting in a scenic buffer is desired or required, the species used must be native to the Akron area and complementary to the intended character of the scenic buffer.
- c. Supplemental planting within a meadow buffer must not include species anticipated to achieve a height at maturity of 36 inches or greater. Planting in existing roadway shoulders within the City or County right-of-way must be native vegetation with an expected height at maturity appropriate to the roadway shoulder location.

3. Exotic Species Eradication

- a. Where scenic buffer areas include species that are not native to the Akron area, these species should be eradicated over time and replaced with species native to the Akron area and complementary to the desired character of the buffer.
- b. Eradication of exotic species and supplemental planting are required for new construction, additions over 500 sq. ft. in area, site modifications affecting over 500 sq. ft. in area, or a change in use.

4. Maintenance of Scenic Buffers

- a. Maintenance of scenic buffers is the obligation of the property owner.
- b. Scenic buffers on private property shall not be mowed, except that required sight lines at driveway entrances may be maintained by mowing for safety purposes.
- c. Scenic buffers within the City or County right-of-way shall not be mowed, except that roadway shoulders may be maintained by mowing for clear sight purposes.

5. Existing Structures in Scenic Buffers

Structures located within a scenic buffer that existed as of the effective date of this Code may remain, provided they are appropriately maintained so as not to constitute a hazard to the public. Expansion or additions to an existing structure located within a scenic buffer are not allowed.

6. New Construction in Scenic Buffers

a. New Buildings, Walls, and Fences

No new buildings, structures, walls, or fences are allowed to be constructed within scenic buffers.

b. Streets and Driveways Traversing the Scenic Buffer

- i. Streets and driveways serving public, commercial, and industrial uses are permitted.
- ii. Streets serving multiple unit residential development sites are permitted.
- iii. On multiple unit residential development sites 5 acres or larger, driveways in the scenic buffer are not permitted.

c. Signs

Signs indicating an entrance into a development or site may be established in a scenic buffer, subject to all sign standards and clear sight triangle standards applicable to the property.

Div. 2.10. **Rules of Interpretation**

2.10.1. **General Provisions**

A. Specific Terms

1. Primary Street

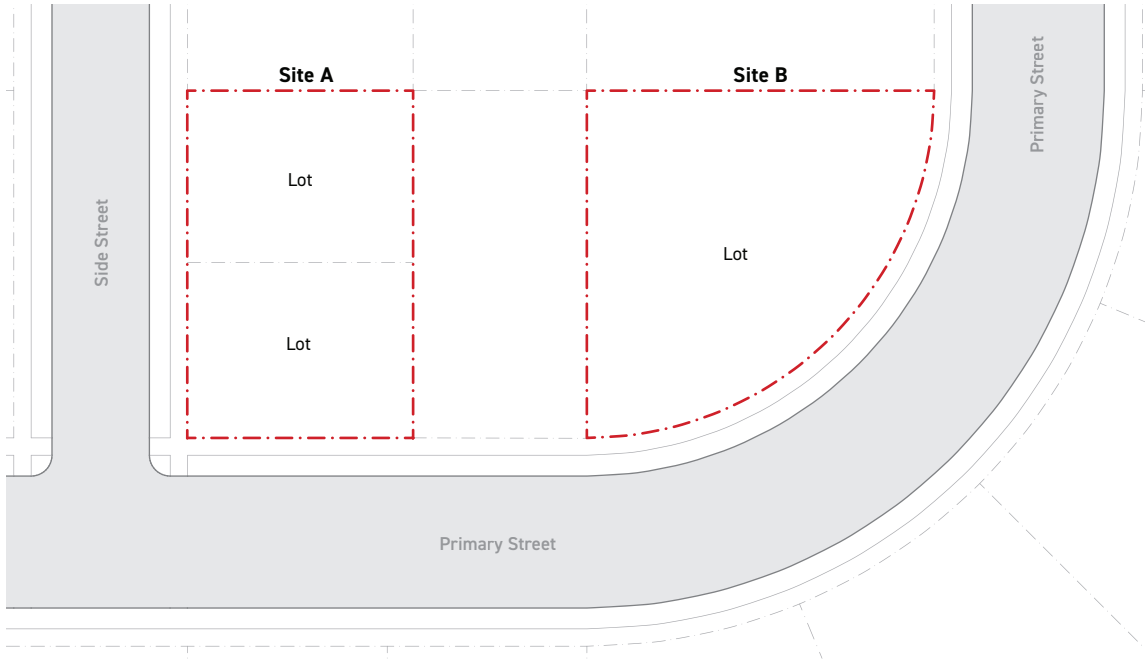
- a. For sites that abut multiple streets, the primary street is determined using the following criteria:
 - i. The street or streets with the highest roadway classification;
 - ii. The established orientation of the block;
 - iii. The street abutting the longest face of the block;
 - iv. The street parallel to an alley within the block;
 - v. The street that the site takes its address from; and
 - vi. The primary street designation of adjacent development, either existing or approved.
 - vii. If a site or lot has a property line that abuts an existing street, that street shall be the primary street.
 - viii. If a site or lot has a property line that abuts a scenic buffer, the street that the scenic buffer borders shall be the primary street.
- b. For sites where the location of the primary street is unclear, the Administrator shall make the determination based on the above criteria.

2. 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.

3. Lot

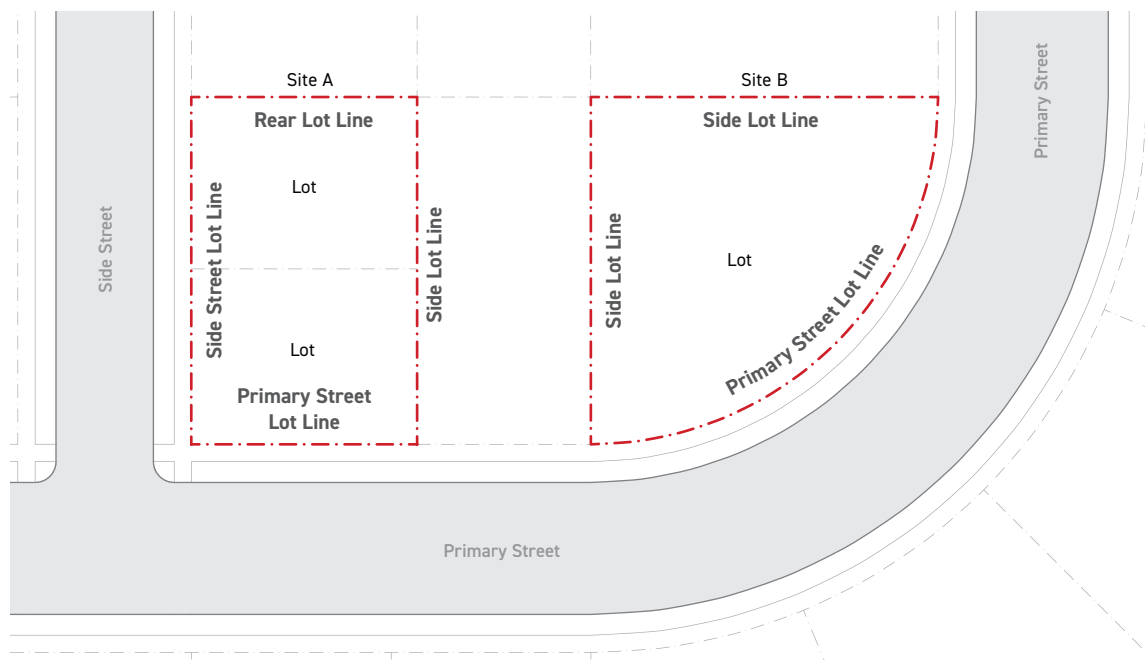
- a. A parcel of land, either vacant or occupied, intended as a unit for the immediate or future purpose of transfer of ownership or for development.
- b. Generally, a lot shall abut a primary street, side street, or alley.
- c. If a lot does not abut a primary street, side street, or alley, it must abut one of the following:
 - i. A permanent vehicle access easement at least 8 feet in width
 - ii. A permanent pedestrian access easement at least 6 feet in width.
 - iii. A park or open space with a permanent open space easement.



B. Site Boundary Designations

1. General

- a. Each lot line must have only one of the following designations:
 - i. Primary street lot line;
 - ii. Side street lot line;
 - iii. Rear lot line; or
 - iv. Side lot line.



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

2. Primary Street Lot Line

- a. Any lot line that abuts a primary street right-of-way.
- b. Each site must have at least one primary street lot line. A site may have more than one primary street lot line.
- c. A lot line abutting a park, open space, river, trail or pedestrian path may be designated as a primary street lot line.
- d. Once designated for a site, a primary street lot line cannot be changed (e.g., a primary street lot line cannot, for purposes of subsequent development, be re-designated a side street lot line) unless all standards of the zoning district are met based on the proposed change in street lot line designation.

3. Side Street Lot Line

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

4. Rear Lot Line

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

- a. A site may have no more than one lot 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 lot line.
- c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting sites is the rear lot line.

5. Side Lot Line

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

6. Alley Lot Line

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

7. Street Lot Line

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

8. Common Lot Line

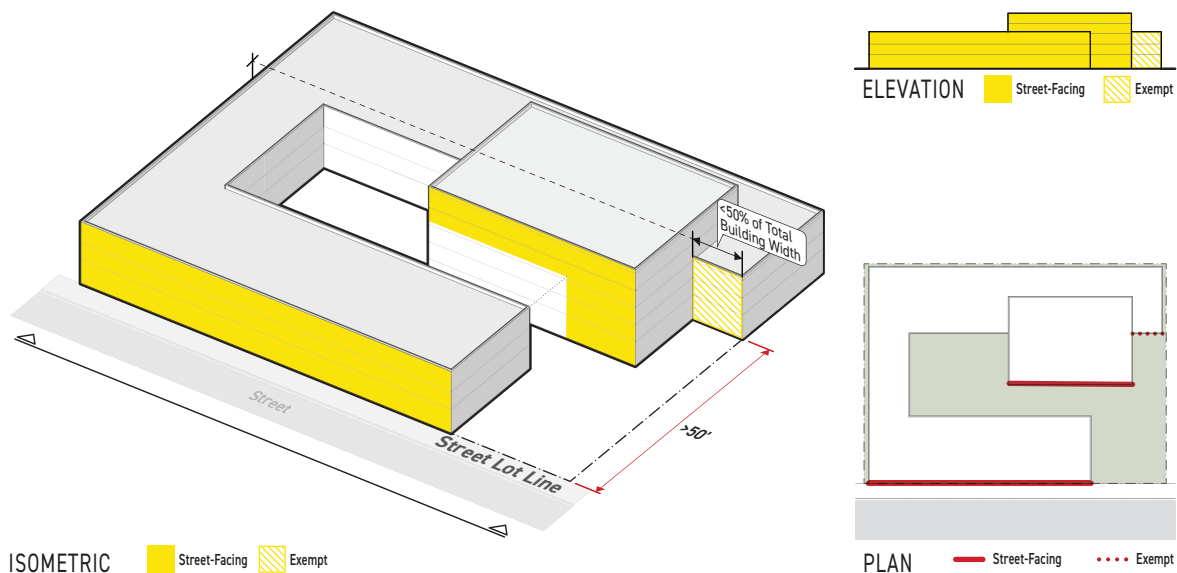
Any lot line shared by multiple lots. Common lot lines include all side and rear lot lines.

C. Residential and Nonresidential Uses

1. Residential uses include all uses listed in the residential use category that are allowed in the zoning district - see *3.2.2, Permitted Use Table*.
2. Nonresidential uses include all uses listed in the commercial or industrial categories that are allowed in the zoning district - see *3.2.2, Permitted Use Table*.

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 lot line are considered street-facing building facades.
2. Building facades located more than 50 feet behind the primary or side street lot 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.



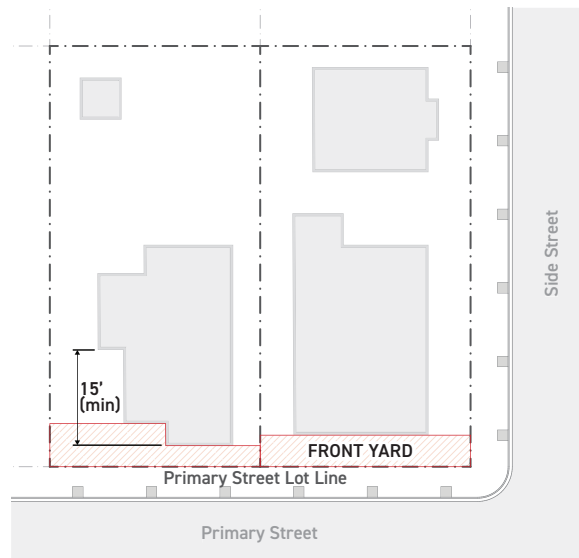
E. Yard Designations

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.

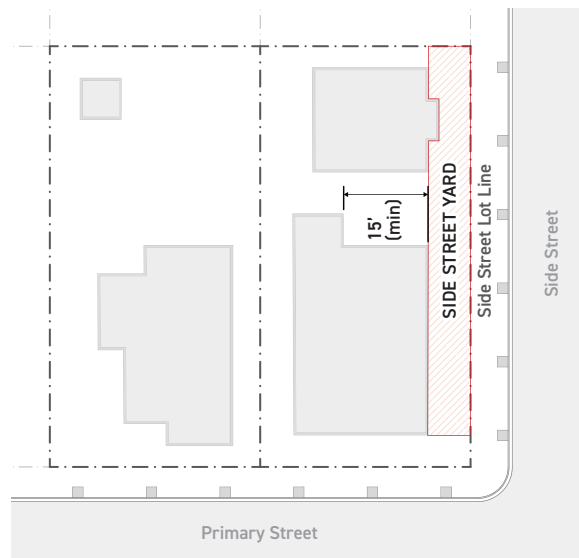
2. Front Yard

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



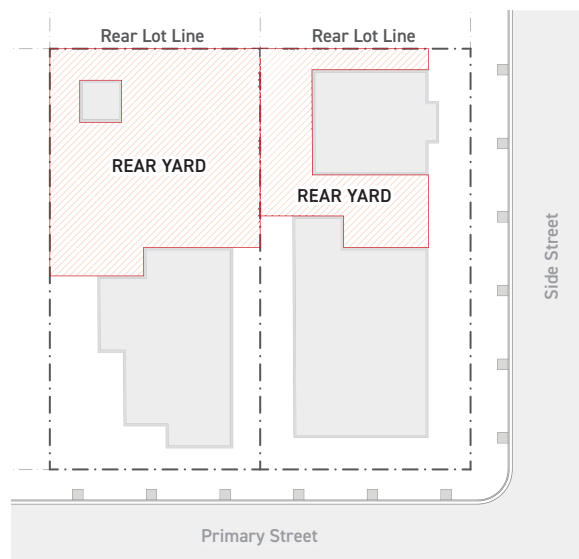
3. Side Street Yard

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



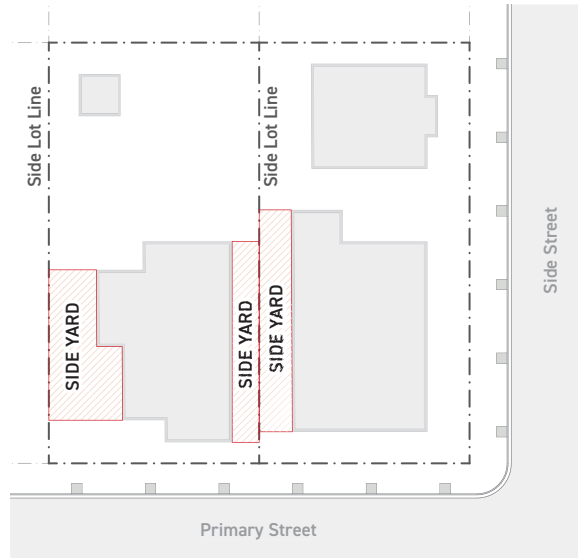
4. Rear Yard

All portions of a site between a rear lot 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 lot 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.



2.10.2. Blocks

The area of land bounded by public or private rights-of-way, not including alleys.

A. Intent

1. To create a more walkable and pedestrian-oriented environment.
2. To increase overall site accessibility and connectivity.
3. To provide route choices, reducing congestion on arterial streets.

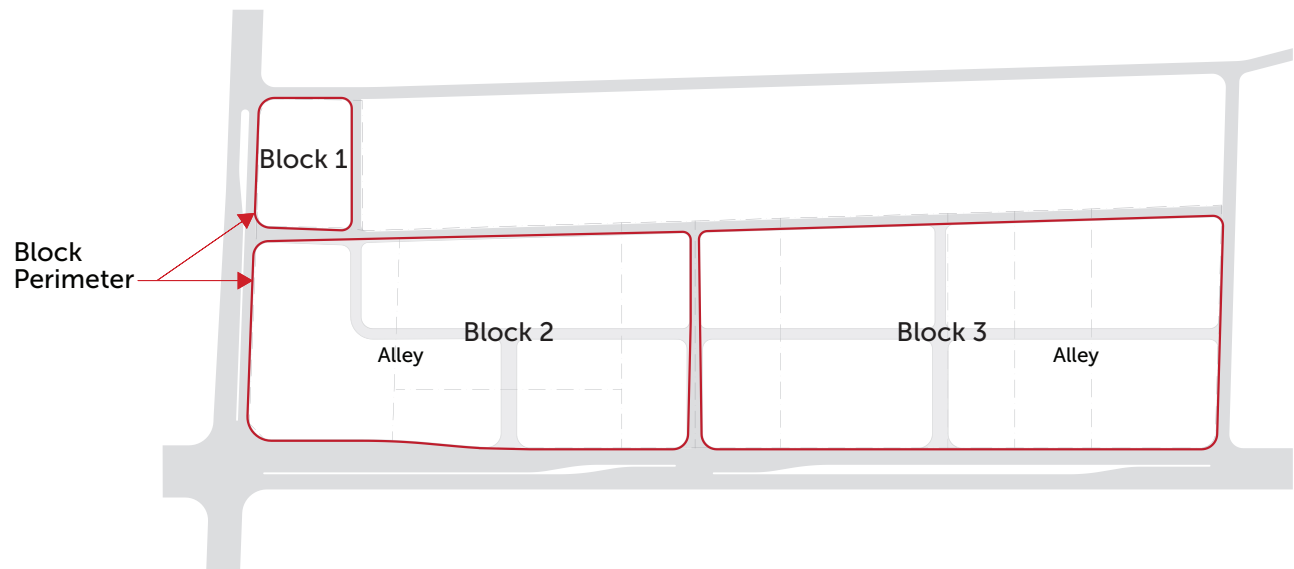
B. Applicability

Block standards apply as specified by the zoning district.

C. Standards

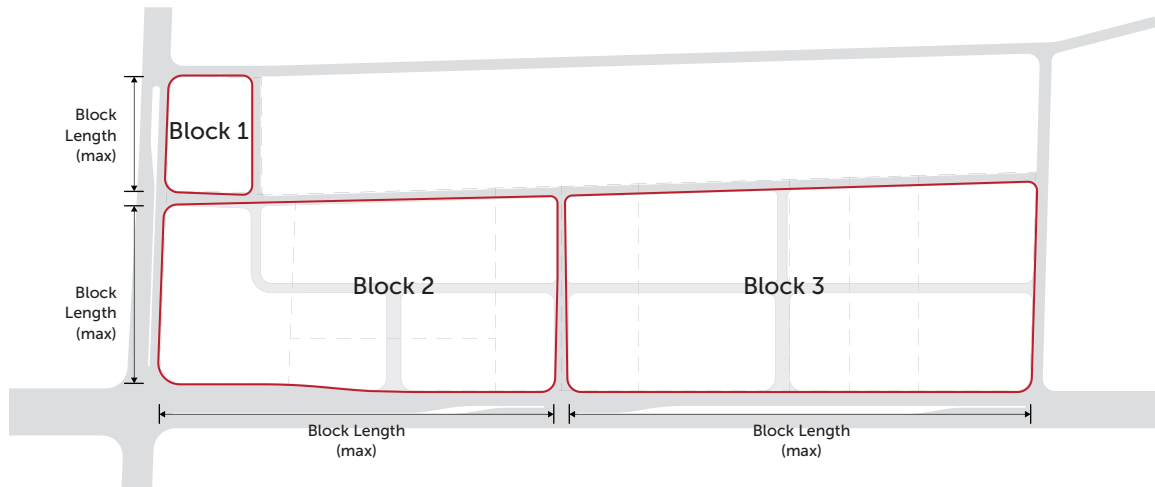
1. Block Perimeter

- a. A block perimeter may not exceed the maximum block perimeter allowed by the zoning district.
- b. Block perimeter is measured along the edge of the property adjoining the right-of-way.



2. Block Length

- a. A block length may not exceed the maximum block length allowed by the zoning district.
- b. Block length is measured along the edge of the public or private right-of-way along each block face.



- c. Where an existing block face exceeds the maximum block length, a public right-of-way or permanent public access easement must be provided through the block.
 - i. A street, alley, multi-use path, or pedestrian path may satisfy this requirement.
 - ii. Minimum right-of-way or access easement width: 8'.
 - iii. Where it is impossible to make a through-block connection due to land ownership, a stub with a public right-of-way or permanent public access easement must be provided to enable a future connection.

D. Administrative Relief

1. Block perimeter requirements may be modified in accordance with *Div. 5.2* when steep slopes in excess of 25%, freeways, waterways, railroad lines, tree conservation areas, stream buffers, utility easements, cemeteries, or open space uses make the provision of a complete block infeasible.

2.10.3. Streetscape

The portion of the public right-of-way that includes sidewalks, street furniture, and street trees.

A. Intent

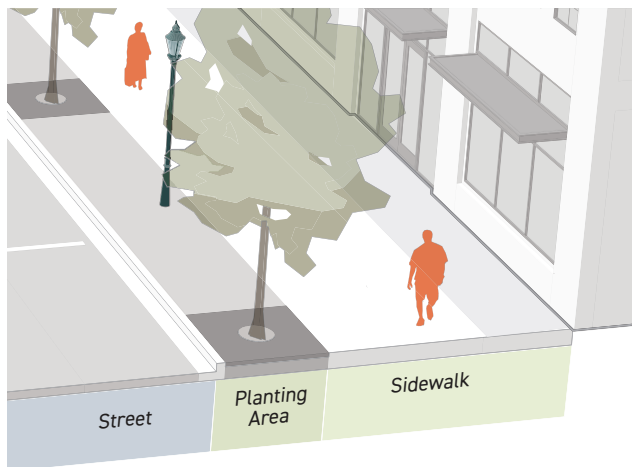
To help ensure an attractive and inviting public realm that provides a safe and protected walkway for pedestrians and other types of mobility.

B. Applicability

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

C. General

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



D. Planting Area

1. The planting area is the area between the street roadway and the sidewalk.
2. The planting area must be at least the minimum width specified by the zoning district
3. The planting area is measured perpendicularly from the outside of the curb to the adjacent edge of the sidewalk.
4. One large tree must be planted in the planting area at the spacing specified by the zoning. Tree spacing is measured as an average to account for driveways, utilities and other potential conflicts. For details on designation and measurement of trees, see [Sec. 4.3.4.E. Trees](#).
5. Soils in tree lawns and pits cannot be compacted. The surface area of the tree lawn or pit must be permeable.
6. Tree pits must be a minimum length of 8 feet.
7. The following encroachments are permitted in the planting area 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, expanded sidewalk areas, trees and planters.

E. Sidewalk

- 1. The sidewalk is the area between the planting area and the street lot line (or pedestrian easement, if required).
- 2. The sidewalk must have a width of at least the minimum specified by the zoning district.
- 3. Sidewalk width is measured perpendicularly from the adjacent edge of the planting area to the edge of the sidewalk.
- 4. Where there is not enough room available within the right-of-way to provide the required sidewalk width, the sidewalk shall extend onto the site to meet the sidewalk width requirement, and a permanent sidewalk access easement must be provided.
- 5. The minimum width of sidewalk specified by the zoning district must remain clear of obstacles at all times.
- 6. The sidewalk shall be constructed to meet all City and ADA specifications.

F. Administrative Relief

- 1. The required planting area width may be reduced by up to 15% in accordance with Div. 5.2.
- 2. The required sidewalk width may be reduced by up to 15% in accordance with Div. 5.2.

2.10.4. Site Width

The length of primary street lot lines bounding a site.

A. Intent

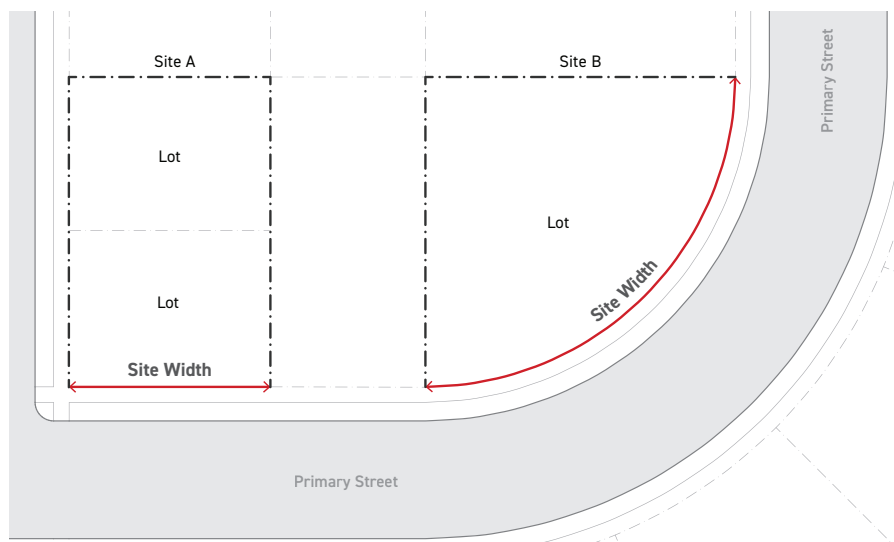
To help ensure new developments are generally consistent with the character of the neighborhood and other properties within the same zoning district and to help ensure safe and adequate vehicular access to and from a site.

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. A site must not have a width of less than 15 feet.

C. Standards

1. No site may be less than the minimum width required by the zoning district.
2. Site width is measured following the geometry of all primary street lot lines that bound the site.
3. Where a site has 2 or more primary street lot lines facing different streets, all primary street lot 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 lot line can meet the minimum width requirement for sites with side or rear access.



D. Administrative Relief

1. The required site width may be reduced by up to 15% in accordance with Div. 5.2.

2.10.5. Dwelling Units Allowed

The maximum number of dwelling units allowed per building, lot, or acre.

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 applies to all buildings, lots, and sites.

C. Standards

1. The number of dwelling units per building cannot exceed the maximum specified by the zoning district.
2. The number of dwelling units per lot cannot exceed the maximum specified by the zoning district.
3. The number of dwelling units per acre cannot exceed the maximum specified by the zoning district.
4. Dwelling units may be detached or attached as permitted by the zoning district.

2.10.6. Coverage

A. Building Coverage

The percentage of lot area that is covered by buildings or structures.

1. Intent

To preserve open area and reduce the bulk of buildings on a lot by limiting the area of buildings or structures that cover the lot.

2. Applicability

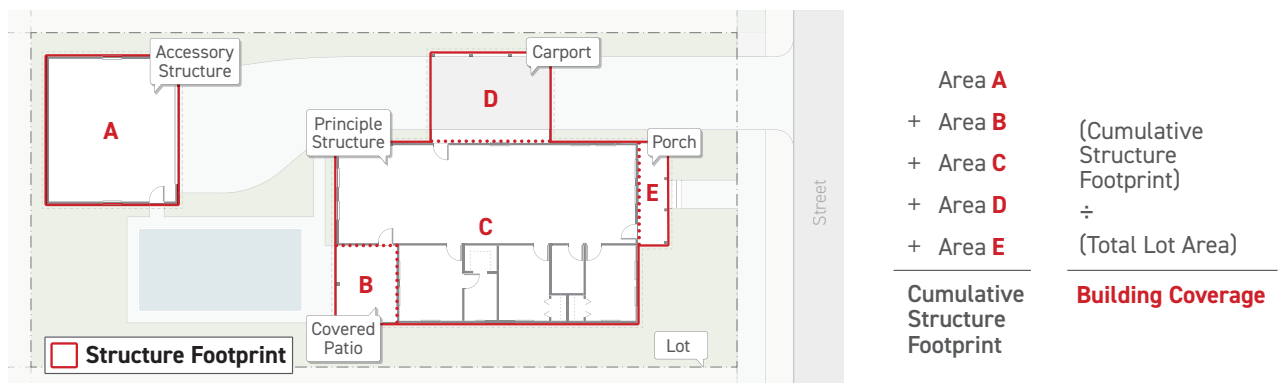
The maximum building coverage requirements apply to all lots.

3. Standards

- a. The cumulative area of all buildings and roofed structures on a lot must not exceed the maximum building coverage allowed by the district.
- b. On sites with multiple buildings or structures, the coverage on the lot must not exceed the maximum building coverage.

4. Measurement

- a. Building coverage is measured by dividing the cumulative area of all buildings and roofed structures on the lot by the lot area.



- b. Building coverage does not include portions of architectural projections (including roof overhangs and projecting balconies) that are less than 5 feet from the nearest wall, column, spanning beam, or other structural element carrying gravity loads to the ground.

B. Outdoor Amenity Space

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

1. Intent

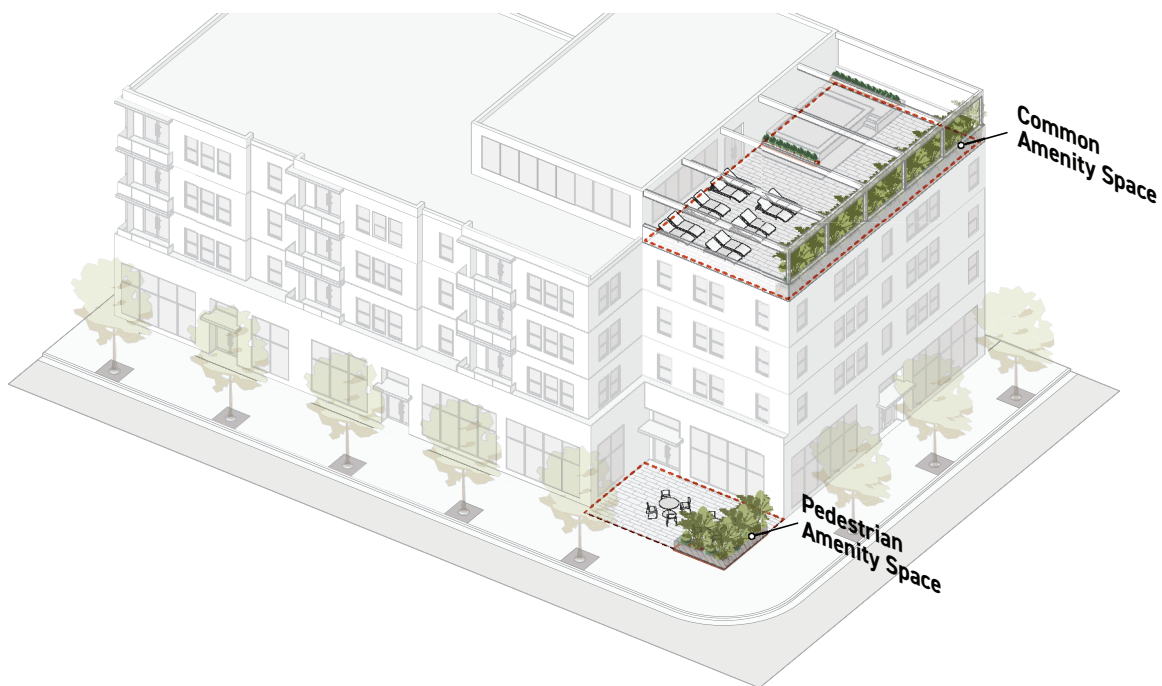
To provide adequate recreation and open space areas for residents and tenants, and to ensure such spaces are accessible, usable, and safe.

2. Applicability

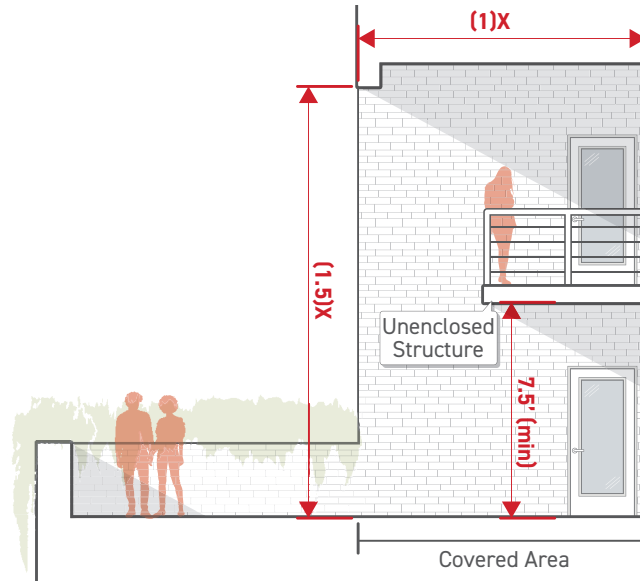
- a. All sites developed after the effective date of this Code.
- b. Sites 20,000 square feet or less are not required to provide outdoor amenity space.

3. General

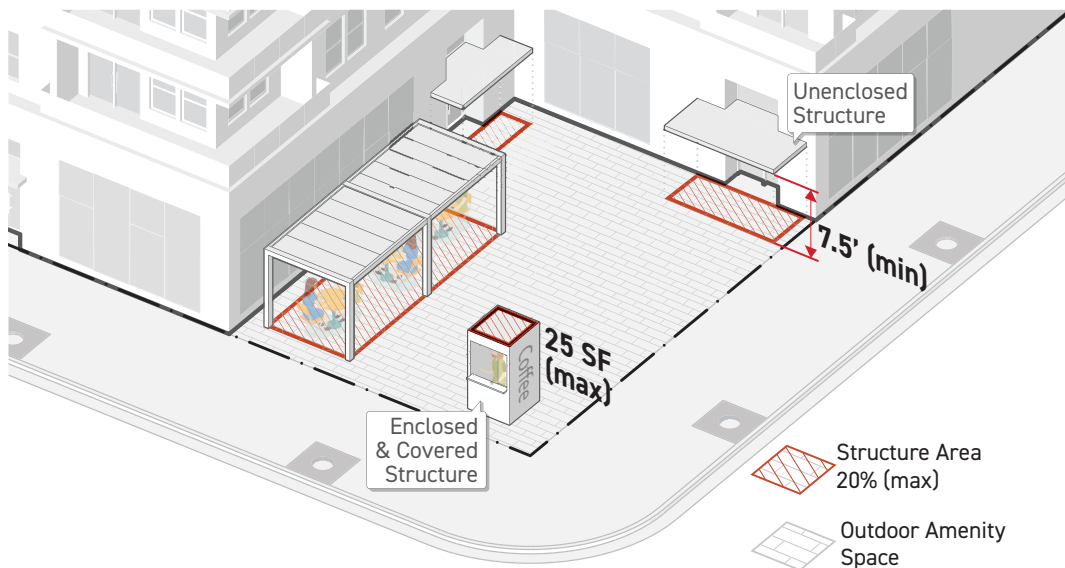
- a. A site must provide the minimum percentage of outdoor amenity space required by the zoning district.
- b. The required outdoor amenity space may be achieved by providing common outdoor amenity space (Sec. 2.10.6.B.4), pedestrian outdoor amenity space (Sec. 2.10.6.B.5), or a combination of both.
- c. 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.
- d. Lots that are part of a 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.



- e. Outdoor amenity space cannot be fully enclosed.
- f. No portion of an outdoor amenity space can have a clear height of less than 7.5 feet.
- g. Outdoor amenity space that is roofed must have a minimum clear height of 1.5 times the depth of the roofed area.



- h. 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.
 - i. Roofed structures having a clear height of at least 7.5 feet; and
 - ii. 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.



- i. Outdoor amenity space shall be constructed to meet all City and ADA requirements.

4. Common Outdoor Amenity Space

- a. Each square foot of common outdoor amenity space counts as 1 square foot of required outdoor amenity space.
- b. Where common outdoor amenity space is provided to satisfy the requirement for outdoor amenity space, it must meet the following standards:
 - i. Common outdoor amenity space must meet the requirements of Sec. 2.10.6.B, Outdoor Amenity Space.
 - ii. 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.
 - iii. Common outdoor amenity space must have a minimum area of 400 square feet. No horizontal dimension of the space shall be less than 15 feet, measured perpendicular to any boundary of the space.
 - iv. Building facades adjacent to common outdoor amenity space must have a minimum transparency of 15% for each story.
 - v. Common outdoor amenity space cannot be located in a transition area.
 - vi. A minimum of 20% of the total area of the common outdoor amenity space must be planting area. Planting areas can have no horizontal dimension less than 3 feet and each planting area must have a minimum plant coverage of at least 75%. Plant coverage is measured as 70% of the plant's anticipated canopy diameter or spread at maturity.

5. Pedestrian Outdoor Amenity Space

- a. Each square foot of pedestrian outdoor amenity space counts as 2 square feet towards meeting the requirement for outdoor amenity space as specified by the zoning district.
- b. Where pedestrian outdoor amenity space is provided to satisfy the requirement for outdoor amenity space, it must meet the following standards:
 - i. Pedestrian outdoor amenity space must meet the requirements of Sec. 2.10.6.B, Outdoor Amenity Space.
 - ii. Pedestrian outdoor amenity space shall have a minimum area of 400 square feet. No horizontal dimension of the space shall be less than 15 feet, measured perpendicular to any boundary of the space.
 - iii. Pedestrian outdoor 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.
 - iv. The finished floor or ground surface of a pedestrian outdoor amenity space must be located within the minimum and maximum ground floor elevation range specified by the zoning district.

- v. All facades facing pedestrian outdoor amenity space must meet the window and door standards required by the zoning district for the street lot line.
- vi. Mechanical and utility equipment cannot be located within a pedestrian outdoor amenity space, or between a pedestrian amenity space and an adjacent building facade.
- vii. A minimum of 20% of the total area of the pedestrian outdoor amenity space must be planting area. Planting areas can have no horizontal dimension less than 3 feet and each planting area must have a minimum plant coverage of at least 75%. Plant coverage is measured as 70% of the plant's anticipated canopy diameter or spread at maturity.

6. Administrative Relief

- a. The total required area of outdoor amenity space may be reduced by up to 10% in accordance with *Div. 5.2*.
- b. An outdoor amenity space dimensional standard may be modified by up to 15% in accordance with *Div. 5.2*.

2.10.7. 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

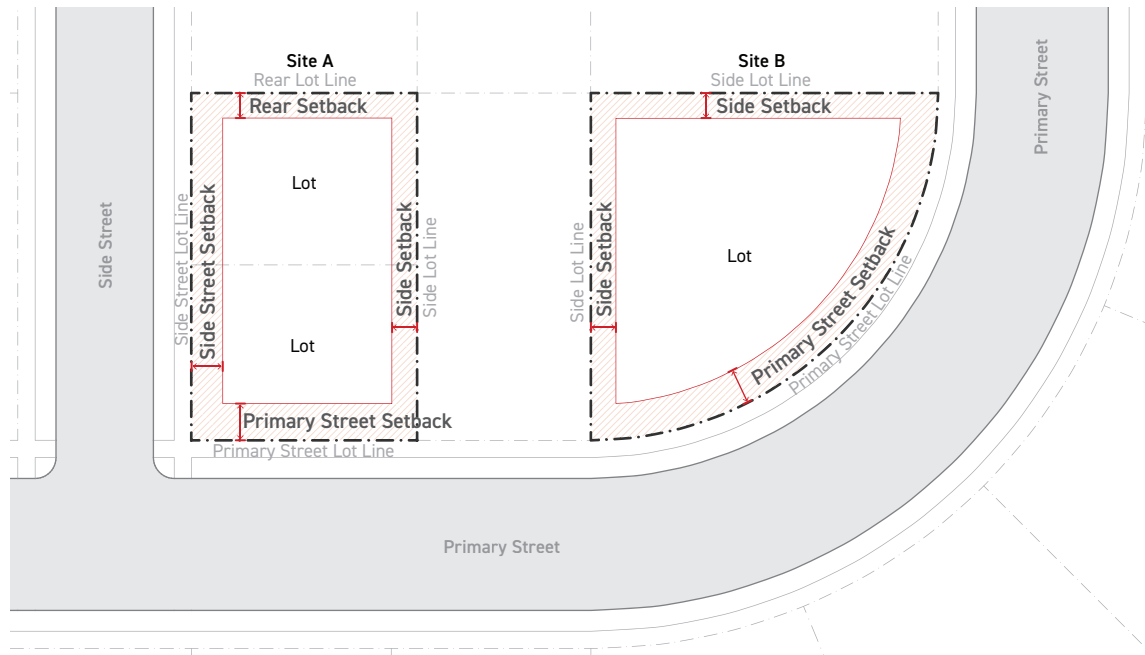
To provide open areas and help reduce the impact of buildings or structures on abutting sidewalks and neighboring development.

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.

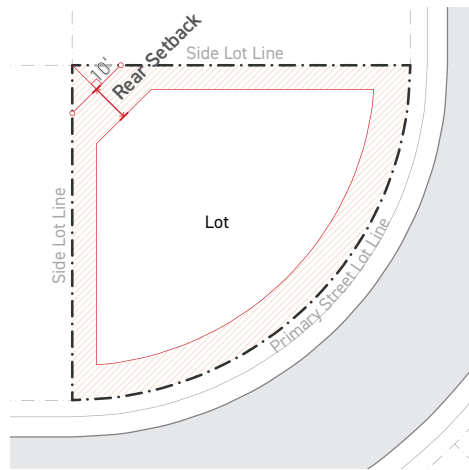
C. Standards

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 *Sec. 2.10.7.D, Exceptions*.
2. All building setbacks are measured perpendicular to the lot line. Where a lot line abuts an access easement, the setback may be measured from the interior edge of the easement rather than the lot line.



3. A primary street setback is measured inward from the primary street lot line.
4. A side street setback is measured inward from the side street lot line.
5. A side setback is measured inward from the side lot line.
6. A rear setback is measured inward from the rear lot line.

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



8. Where the primary street lot line is not straight, the rear setback line must be parallel to a line connecting the end points of the primary street lot line.

D. Exceptions

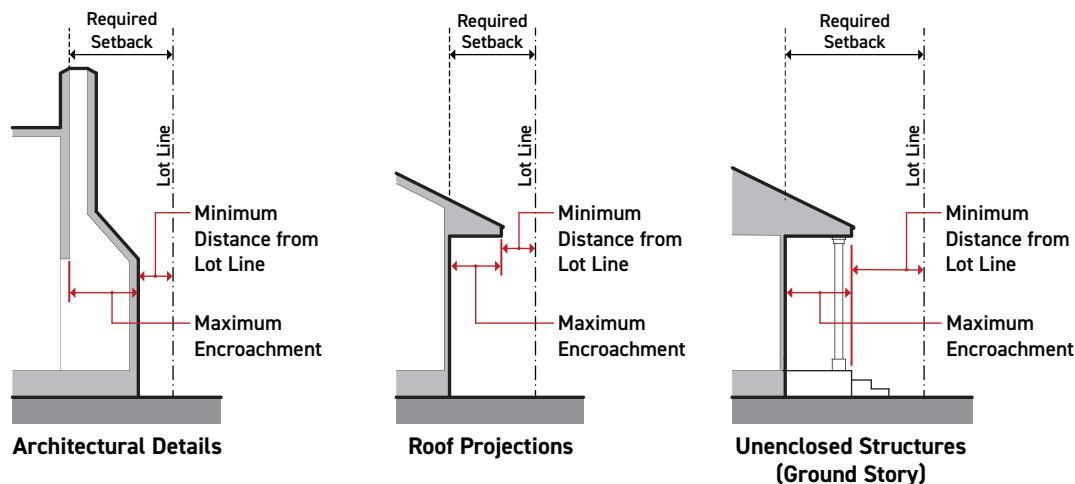
1. Unlimited

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

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

2. Limited

The following are allowed to encroach beyond the building setback up to the minimum distance from the lot 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 lot 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 lot line (min)	0'	1.5	1.5'
Attached Unenclosed Structures (ground story)			
<i>Structures having elevated finished floors and having a total structure height less than 15 feet. Examples include: porches, decks, stoops, landing platforms, pergolas.</i>			
Encroachment (max)	8'	1.5'	0'
Distance from lot line (min)	0'	1.5'	same as district
Detached Unenclosed Structures (ground story)			
<i>Structures having elevated finished floors and having a total height of less than 15 feet. Examples include: decks, gazebos, pergolas. Above-ground swimming pools shall meet Building Code setback requirements.</i>			
Encroachment (max)	0'	n/a	0'
Distance from lot line (min)	same as district	1'	same as district
Attached Unenclosed Structures (above ground story)			
<i>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 lot line (min)	0'	3'	1.5'

	Primary St. / Side St. Setback	Side/Rear Setback	Alley Setback
Attached Enclosed Structures			
<i>Structures that overhang or cantilever beyond the footprint of the building that have a cumulative length less than 25% of the width of the building facade, measured individually for each story. Examples include: bay windows, sleeping porches, overhanging volumes.</i>			
Encroachment (max)	2'	3'	0'
Distance from lot line (min)	0'	3'	same as district
Detached Enclosed Structures			
<i>Structures having a total height less than 18 feet. Examples include garages, outbuildings, sheds.</i>			
Encroachment (max)	0'	n/a	0'
Distance from lot line (min)	same as district	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 lot 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 lot line (min)	same as district	10'	same as district
Signs	see <u>Div. 4.5</u>		

⁽¹⁾ Not allowed in a front yard or side street yard

E. Administrative Relief

1. A required setback dimension may be modified by up to 20% in accordance with Div. 5.2.

2.10.8. Transitions

Additional standards applied along common lot lines in specified districts.

A. Intent

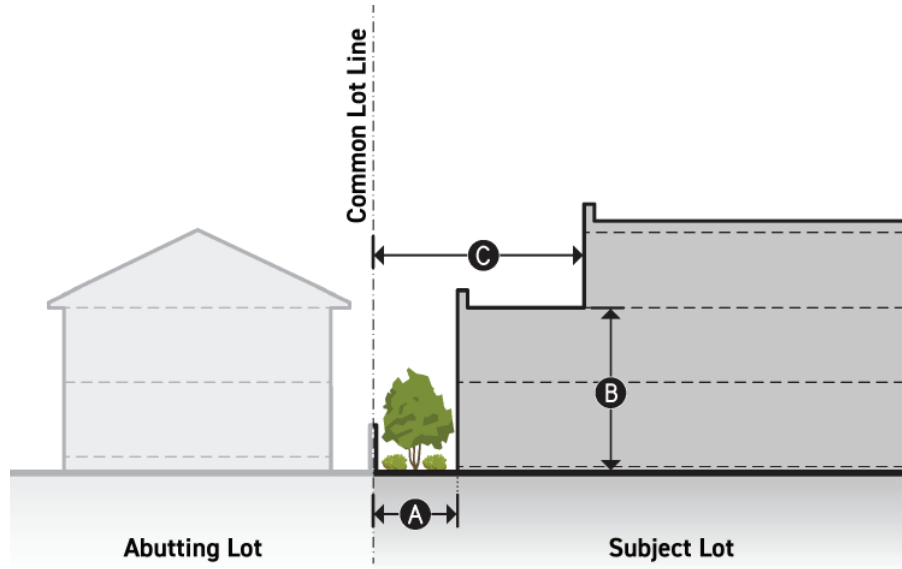
To help mitigate the impact of larger-scale development on neighboring lower intensity properties.

B. Applicability

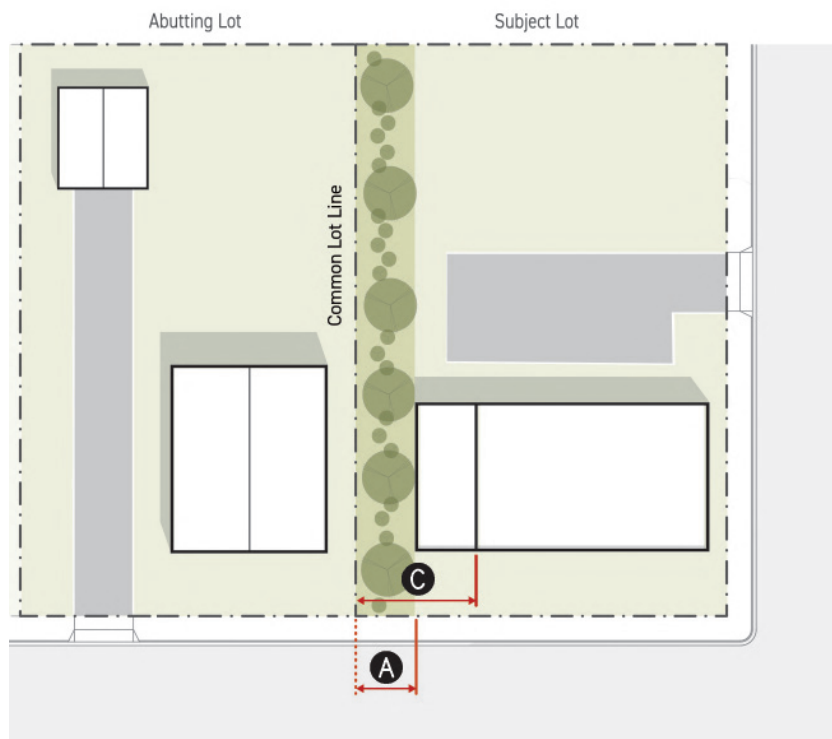
In zoning districts where a transition setback is specified, development on all lots abutting lots in Div. 2.2 Neighborhood Districts must meet the transition standards.

C. Standards

1. No building or structure on the subject lot may be located closer to the common lot line than the minimum transition setback required by the zoning district.
2. All portions of a building or structure on the subject lot that exceed the allowable building height of the abutting Neighborhood district shall be set back from the common lot line by the distance specified.
3. Transition setbacks are measured perpendicularly from the applicable common lot line towards the interior of the subject lot.
4. Required height setback is measured perpendicularly from the common lot line to the upper story building facade.
5. A common lot line screen meeting the standards of Sec. 4.3.2. Screening must be provided, as specified by the zoning district.



TRANSITION AREA		HEIGHT SETBACK	
A	Transition setback from common lot line	B	Allowable height without additional setback (max)
	As specified by zoning district		Maximum height as specified by the zoning district of the abutting lot
	Required screening type	C	Setback required when subject building exceeds allowable height of abutting lot (min)
	As specified by zoning district		15'



2.10.9. Building Frontage

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 building frontage.

A. Intent

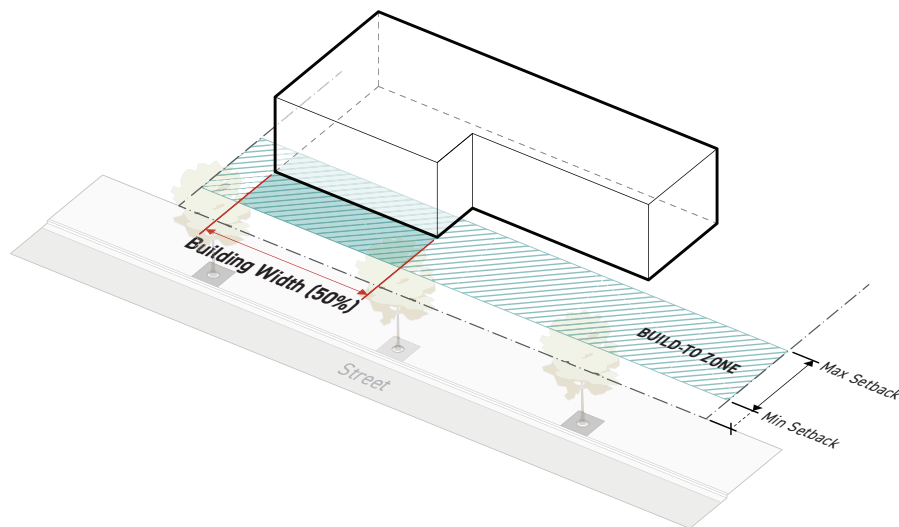
To regulate the placement of buildings along the public realm so that buildings frame the public realm with a consistent street wall.

B. Applicability

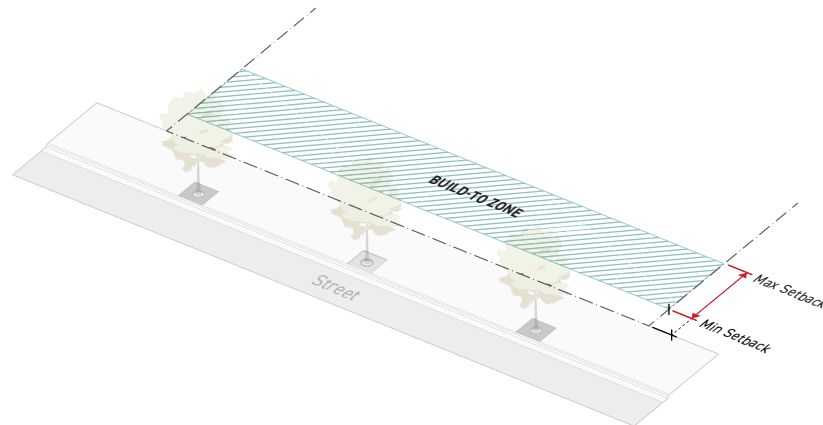
1. The street build-out requirement applies to all sites.
2. The street build-out does not apply to individual lots that are part of the larger site.
3. The street build-out requirement applies to the ground story of a building only.

C. General

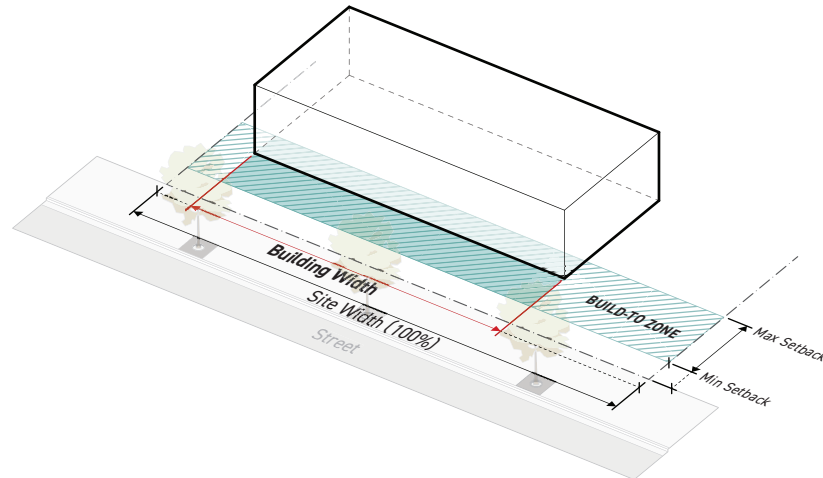
1. No building or portion of a building can be located outside of the build-to zone, until the primary and side street build-out requirements for the site, as specified for the zoning district, have been met. Once the minimum street build-out requirement has been met for the site, buildings and structures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



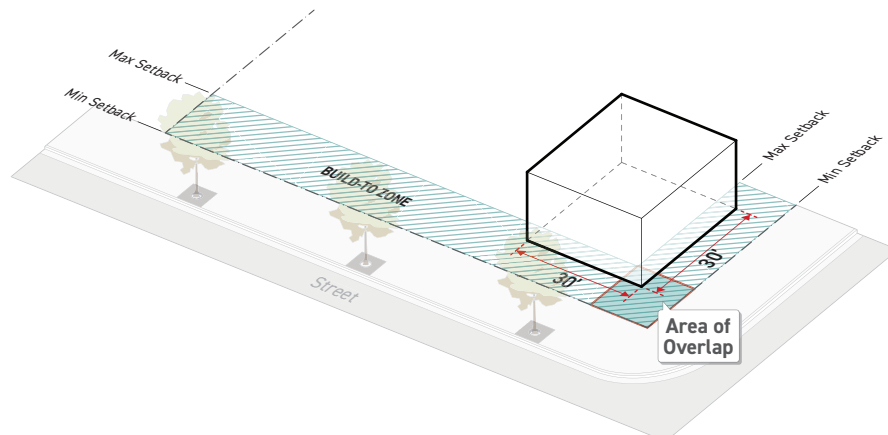
- The build-to zone is measured perpendicular to the primary or side street lot line from the minimum primary or side street building setback to the maximum primary or side street setback.



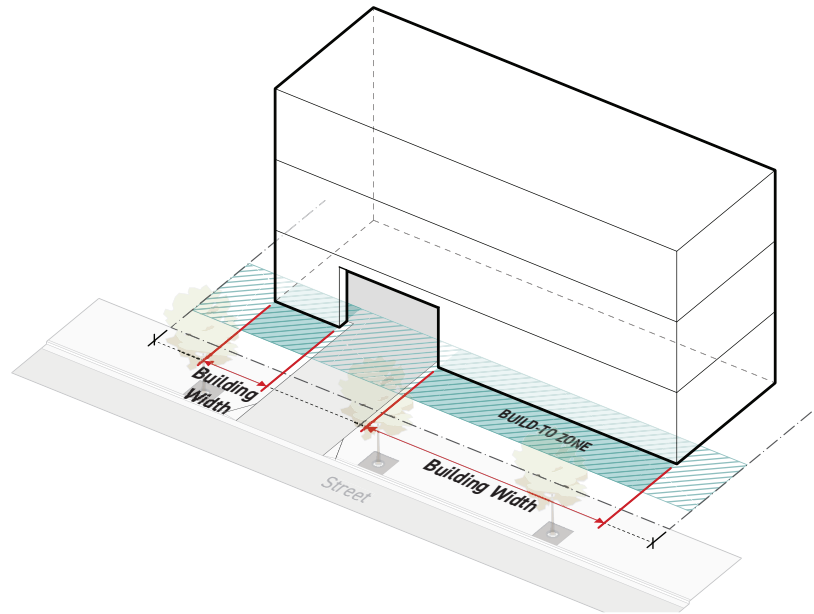
- The street build-out requirement is measured as a percentage as the sum of all building widths occupying the build-to zone, divided by the total width of the site.



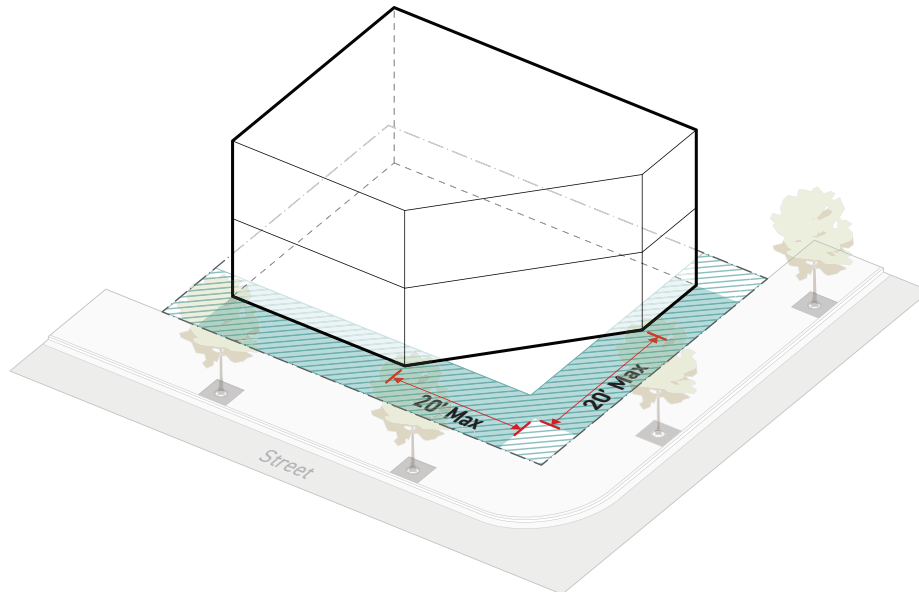
- On a corner site where intersecting street lot lines both have a street build-out requirement, a building must occupy the portion of the site where the two intersecting build-to zones overlap. The building must occupy the build-to zones for both street lot lines for a minimum of 30 feet from the corner.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



5. 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.



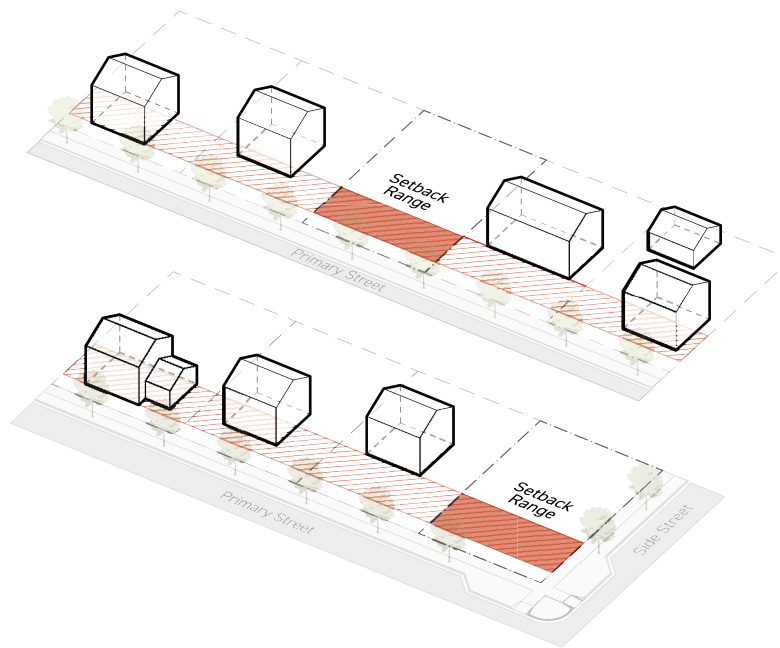
6. A chamfered corner no more than 20 feet in width located on the ground story of a building and extending outside of the build-to counts towards the street build-out requirement.



D. Established Setback Range

When permitted 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.

2.10.10. **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

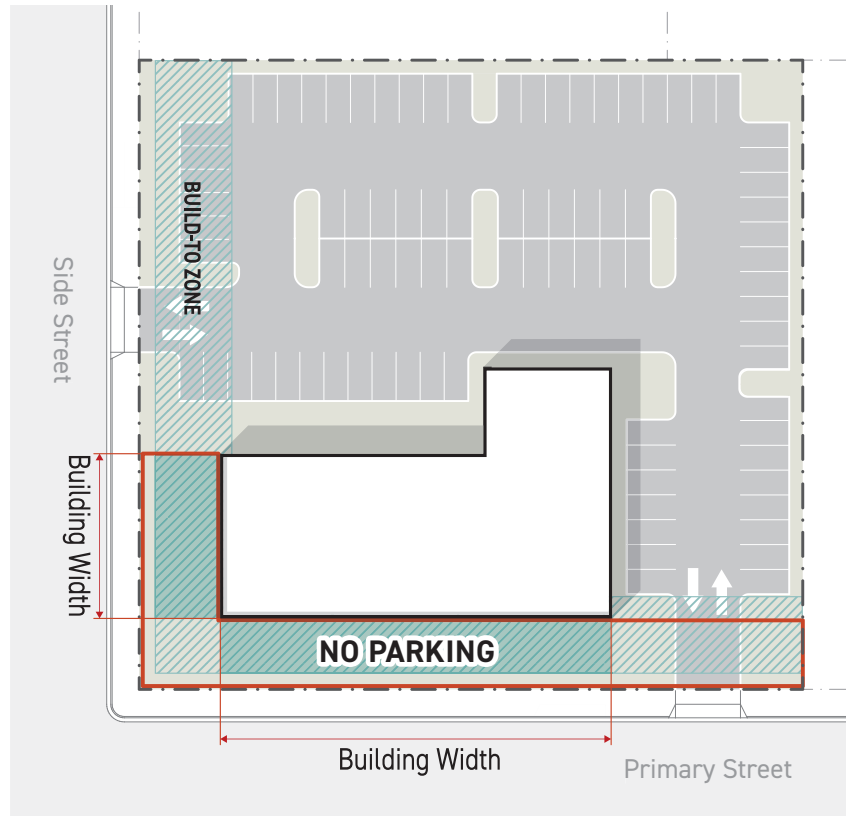
The parking location limitations apply to all sites.

C. In a Required Yard

1. On-site parking is only allowed in a yard as specified by the zoning district.
2. When no parking is allowed in a front yard, no portion of a designated on-site parking space is allowed in the front yard.
3. When parking is allowed in a side street yard, parking is only allowed on a driveway that meets the requirements of Sec. 4.2.1, Access.
4. In a side yard, a driveway is allowed in one side yard only.
5. In a rear yard, parking is allowed anywhere in that yard.
6. For Residential Garage requirements, see Sec. 4.2.3.
7. For determination of a front yard, side street yard, side yard or rear yard, see Sec. 2.10.1.F, Yard Designations.

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.



2.10.11. Massing

A. Building Height

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

1. Intent

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

2. Applicability

The height limitations apply to all sites.

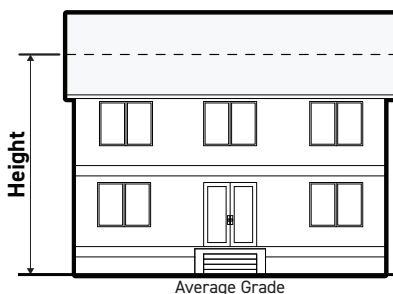
3. General

No building, portion of a building or structure can exceed the maximum number of feet or stories allowed in the zoning district, unless listed as an encroachment in Sec. 2.10.11.A.9. Encroachments.

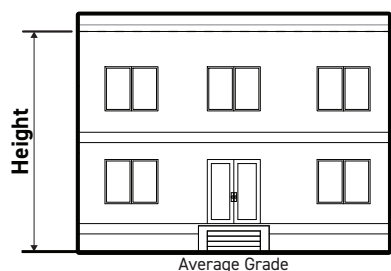
4. Height in Feet

- a. Height in feet is the number of feet from average grade to:
 - i. The mid-point of the roof, for a building with a pitched roof;
 - ii. The top of the roof deck, for a building with a flat roof; and
 - iii. The highest point of the structure, for all other structures.

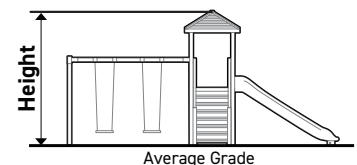
PITCHED ROOF BUILDING



FLAT ROOF BUILDING



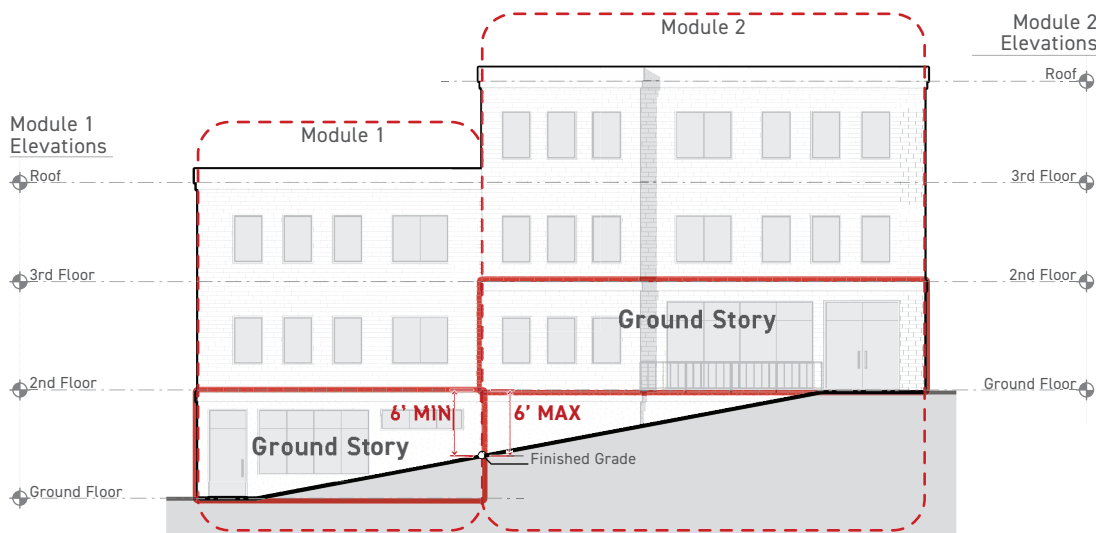
OTHER STRUCTURE



5. Height in Stories

- a. Height in stories is measured as the number of stories above existing grade. The ground story and all upper stories are included in the calculation of maximum height in stories.
- b. 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.

- c. The ground 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 building facade.
 - 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.

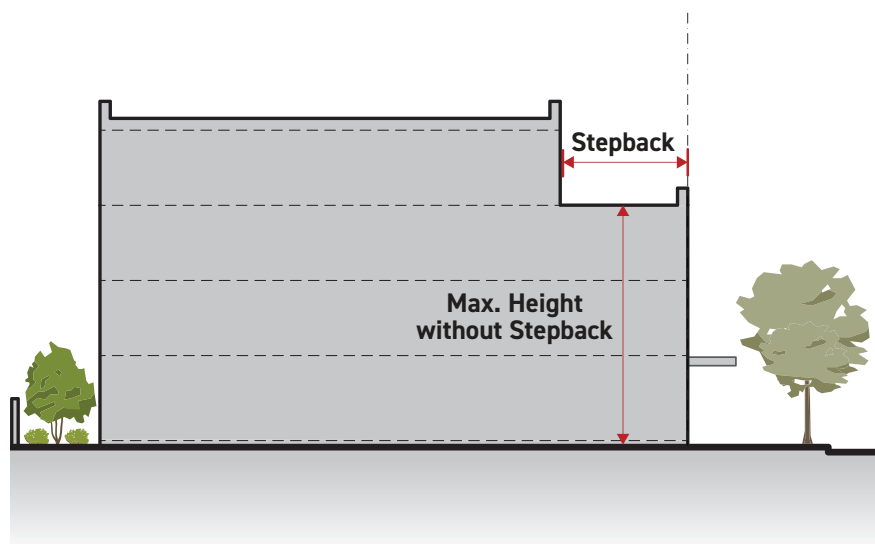


- d. An occupiable space in a building located below the ground story is a basement. Basements are not included in the calculation of maximum height in stories.
- e. Any story located above the ground story is an upper story.
- f. The topmost story of a building is counted as a half story when it is completely enclosed beneath the roof form of the building and;
- Less than 50% of the floor area has a clear height of 7.5 feet or more, measured from the finished floor to the finished ceiling; or
 - Roof dormers do not exceed more than 50% of the front, rear or side building length.



6. Height with Stepback

- a. Where a maximum building height with a stepback is permitted by the zoning district, the specified maximum height in both stories and feet is permitted with the provision of a stepback that meets the following standards:
 - i. The stepback requirement applies only to street-facing building facades on the uppermost story of the building;
 - ii. Upper story facades must be located at least 15 feet away from the street-facing building facade of the lower story that is located closest to the street lot-line.
 - iii. The stepback is measured perpendicularly, toward the interior of the lot, from the lower story's facade.



- b. Where a stepback is not provided, the maximum height without stepback designated by the zoning district applies.

7. Average Grade

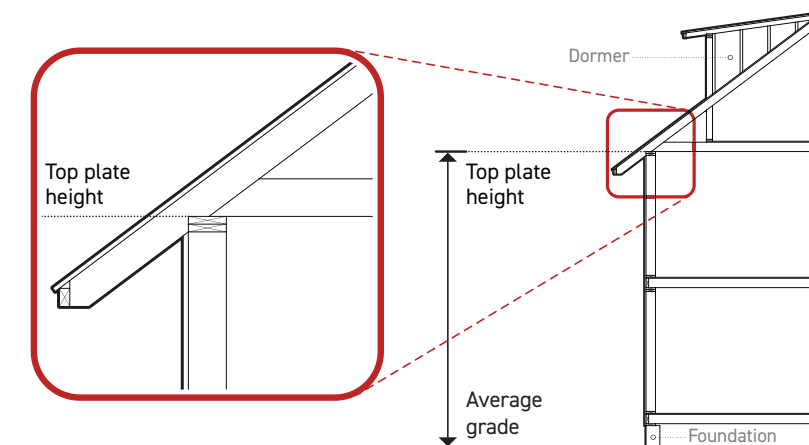
- a. Average grade is calculated by averaging the highest and lowest elevation of the sidewalk in front of the primary street-facing building facade.



- 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.

8. 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.



9. Encroachments

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

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)	10'
Setback from roof edge (min)	5'
Safety Barriers	
<i>Used for safety, screening or protection. Examples include fencing, walls, parapets, railings and stairs.</i>	
Encroachment (max)	6'
Setback from roof edge (min)	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'
Setback from roof edge (min)	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 dining, permanent seating, beehives, sports courts and cooking facilities.</i>	
Encroachment (max)	8'
Setback from roof edge (min)	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)	10'
Setback from roof edge (min)	5'
Flatwork	
<i>Objects 2.5 feet in height or less. Examples include decking, walkways, patios.</i>	
Encroachment (max)	2.5'
Setback from roof edge (min)	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
Setback from roof edge (min)	1'
Signs	see <u>Div. 4.5</u>

10. Administrative Relief

- A change of up to 15% of a required building height may be requested in accordance with Div. 5.2.
- In districts where a minimum story height is specified, the minimum story height may be reduced by one story in accordance with Div. 5.2.

B. Building Width

The horizontal dimension of a building on a site.

1. Intent

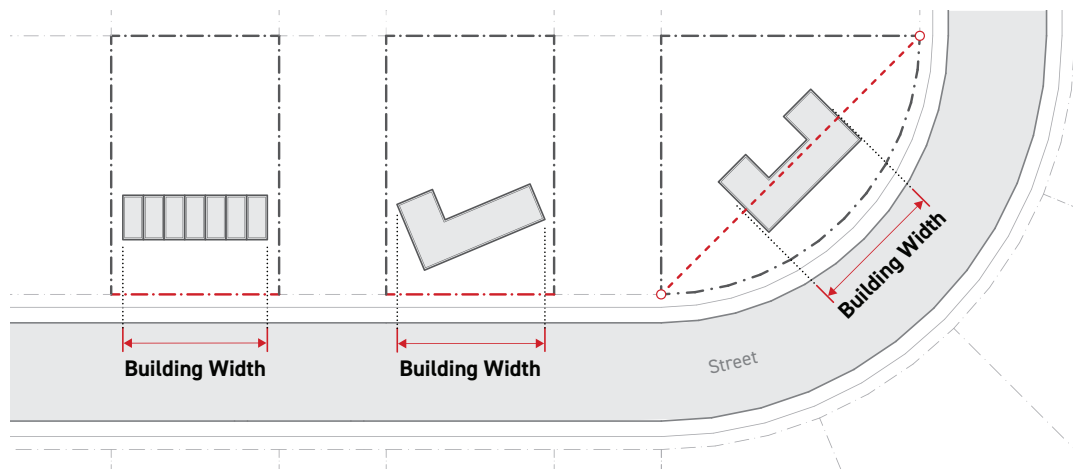
- a. To promote fine-grained patterns of development and prevent long buildings that are significantly out of context with traditional patterns by breaking wide buildings into multiple, clearly distinguished, building widths.
- b. To encourage larger projects to provide open space for pedestrians and 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 required by the zoning district.
- c. Building width requirements do not apply to the exceptions listed in Sec. 210.11 B.4. Exceptions.

3. Standards

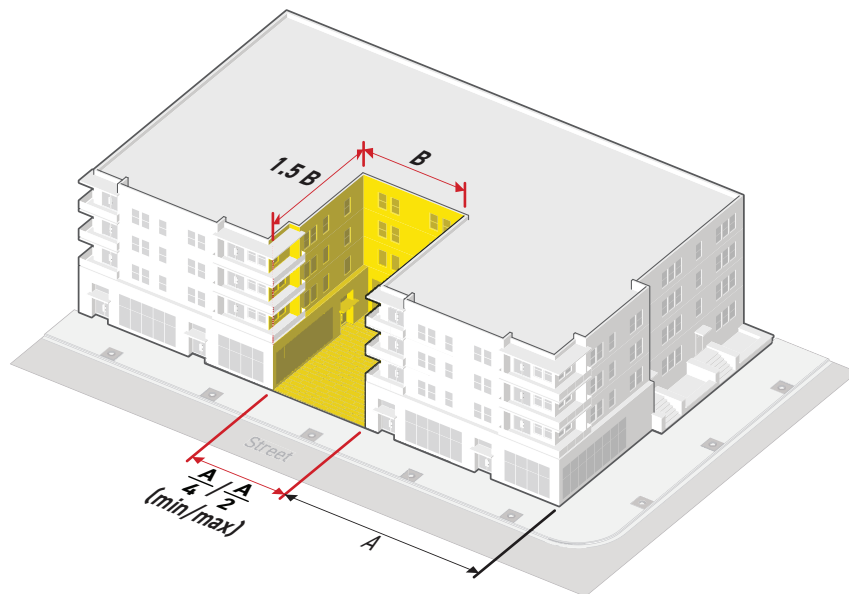
- a. No building can be wider than the maximum building width allowed by the zoning district.
- b. Two buildings can abut one another provided that they have no shared components and are structurally independent from one another.
- c. Building width is measured horizontally and parallel to each abutting primary street or side street lot line from one end of a building or collection of connected buildings to the opposite end.



4. Exceptions

An outdoor amenity space may be used to establish a continuous structure as separate buildings for the purpose of meeting a maximum building width requirement. The outdoor amenity space shall meet the following standards:

- a. The outdoor amenity space shall meet the requirements of Sec. 2.10.6.B.
- b. The outdoor amenity space shall be open to the street and extend the full height of the building.
- c. The width of the outdoor amenity 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.
- d. A maximum of 1 outdoor amenity space exception can be used for each building.



C. Active Depth

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

1. Intent

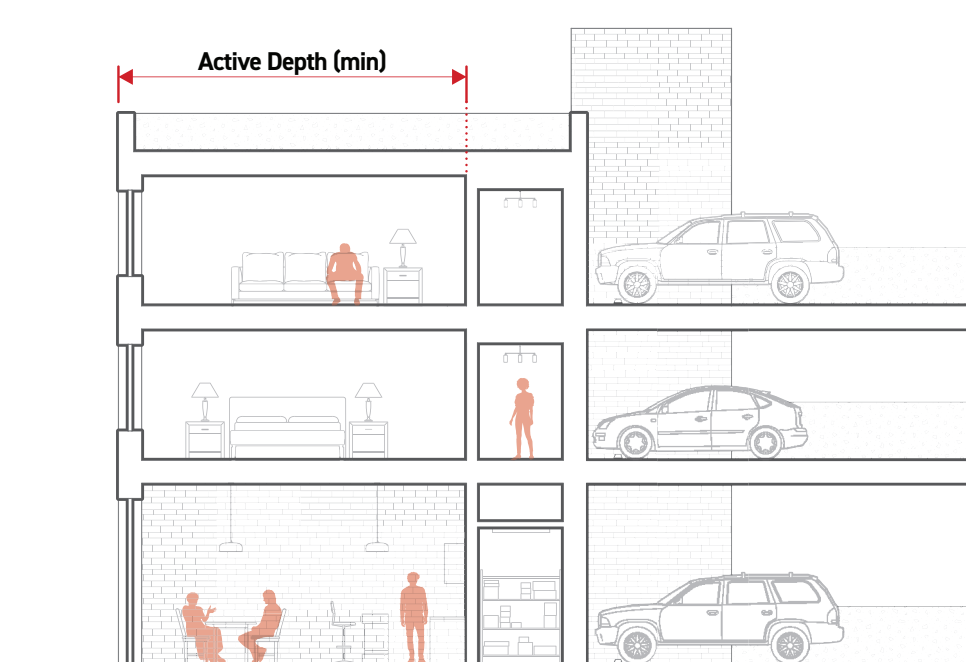
To promote a comfortable, safe, engaging, and attractive built environment with active uses along the public realm, and to help minimize the impact of dead space on the public realm.

2. Applicability

- a. The active depth requirement applies as specified by the zoning district.
- b. The active depth requirement applies to all portions of a building used to meet a building frontage requirement (see *Sec. 2.10.9, Building Frontage*).

3. Standards

- a. Each building must provide the minimum active depth required by the zoning district.
- b. Active depth is measured from the front building facade inward to the interior of the building.
- c. No more than 15% of the floor area of the required active depth can be used for inactive uses.
- d. Inactive uses include parking spaces, parking circulation, garages, loading docks, hallways, stairwells, elevators, bathrooms, storage, closets, utility rooms, trash rooms and areas, equipment rooms, mechanical rooms, non-habitable spaces, and similar uses.
- e. Parking spaces and parking circulation are not allowed in any portion of the required minimum active depth.



2.10.12. Ground Story

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

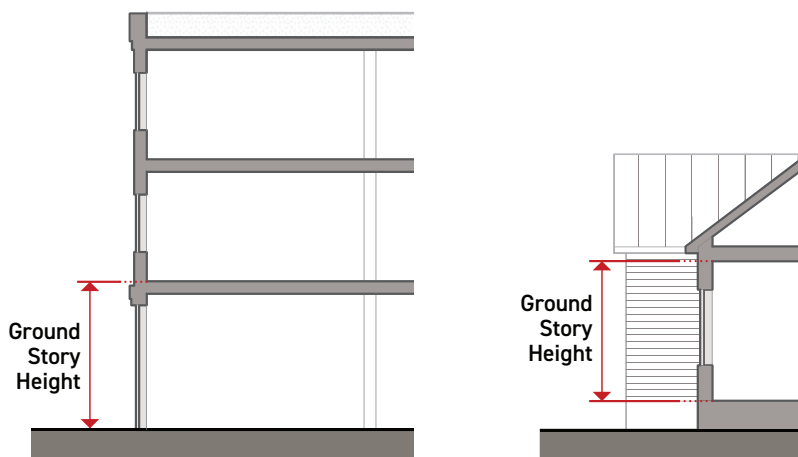
To promote high-quality ground story spaces that are adaptable and appropriate to their intended use and surrounding context.

2. Applicability

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

3. Standards

- a. 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 top of the ceiling or roof structure above.



B. Ground Floor Elevation

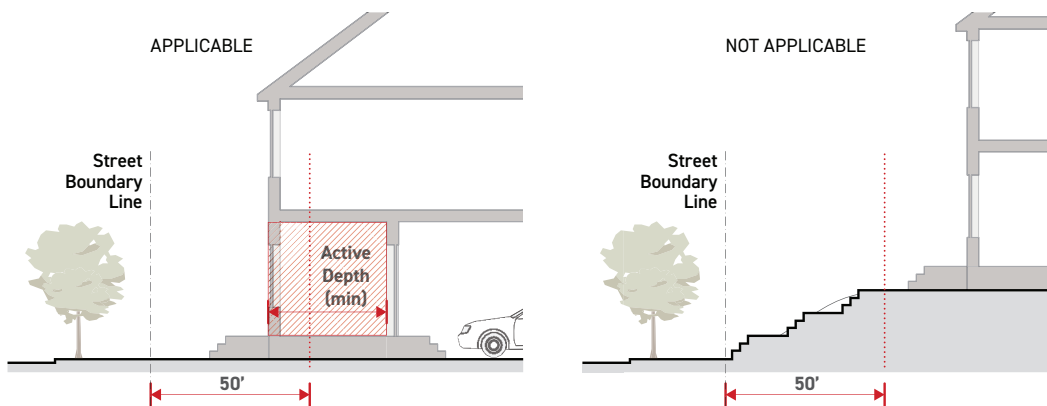
The finished floor height associated with the story of a building having its finished floor elevation nearest to the finished ground surface.

1. Intent

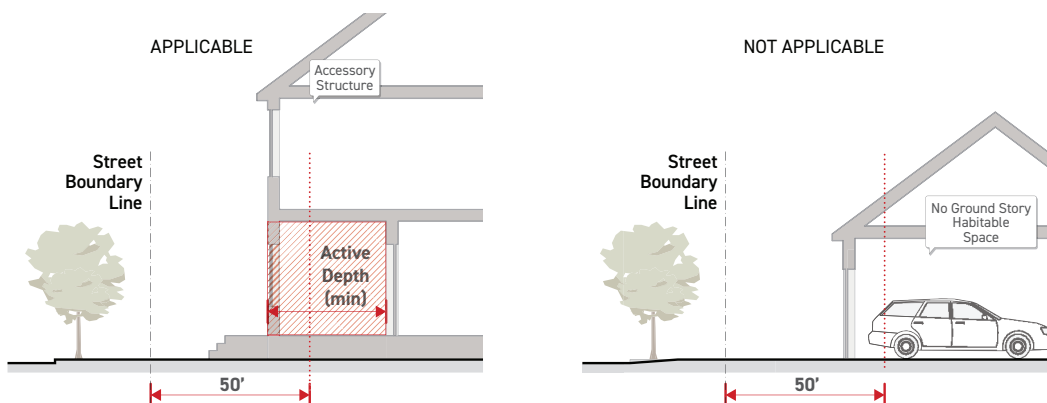
To promote “eyes on the street” and increase the perception of safety, provide privacy for building occupants, and encourage visual connections between the public realm and the exterior of a building.

2. Applicability

- The ground floor elevation standards apply to all buildings that contain habitable space on the ground story that are located within 50 feet of a primary street or side street lot line.
- The ground floor elevation standards apply only to the required ground floor active depth.

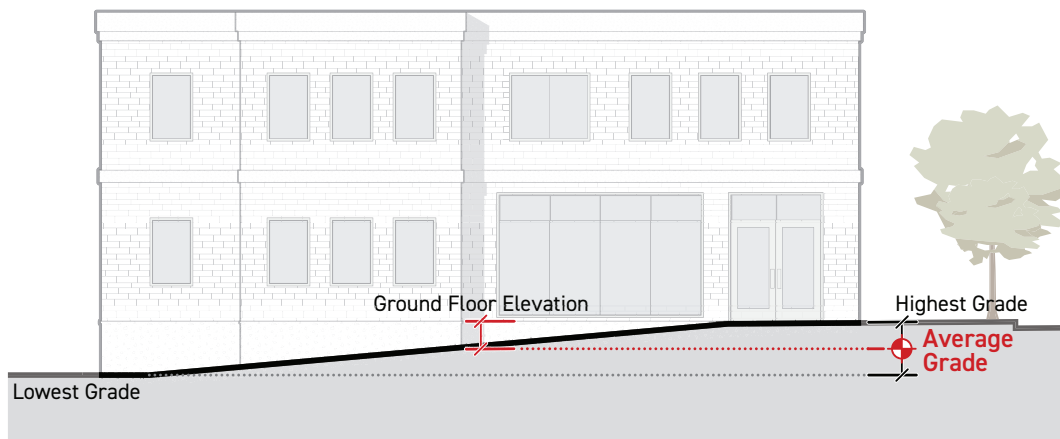


- The ground floor of residential dwelling units on high traffic volume streets may be required to be at a higher elevation, as specified by zoning district. High traffic volume streets have an average daily traffic count (ADT) of 7500 vehicles or more.
- The ground floor elevation standards do not apply when an at-grade entry is required for ADA accessibility compliance.
- 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 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.



C. Administrative Relief

1. A ground story height or ground floor elevation requirement may be modified up to 10% in accordance with *Div. 5.2*.

2.10.13. Transparency

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

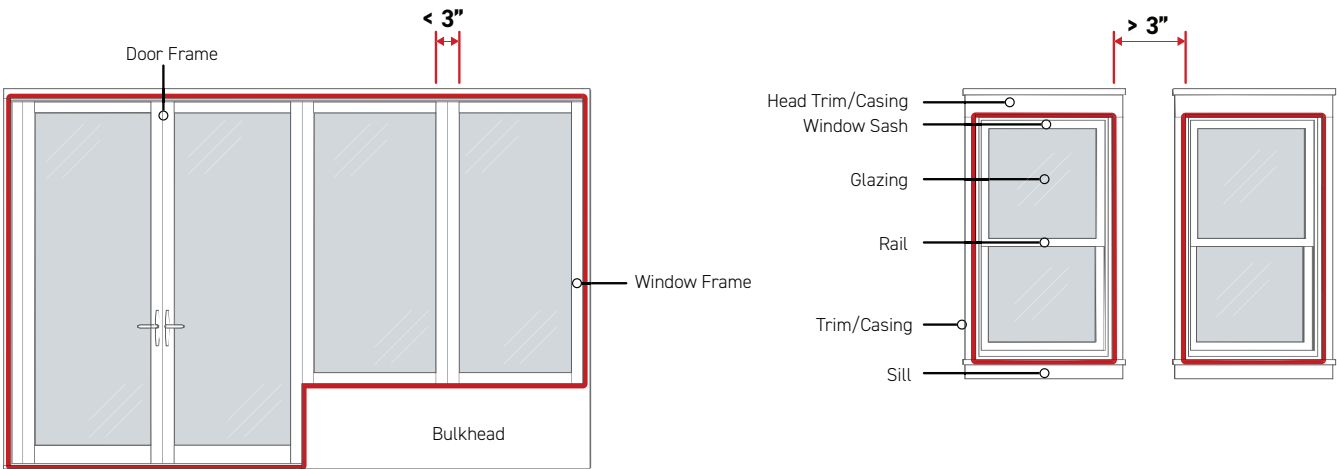
Transparency requirements apply to all street-facing building facades.

3. General

- a. Ground and upper story building facades must meet the minimum transparency requirement of the zoning district by providing windows and doors along the facades.
- 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%

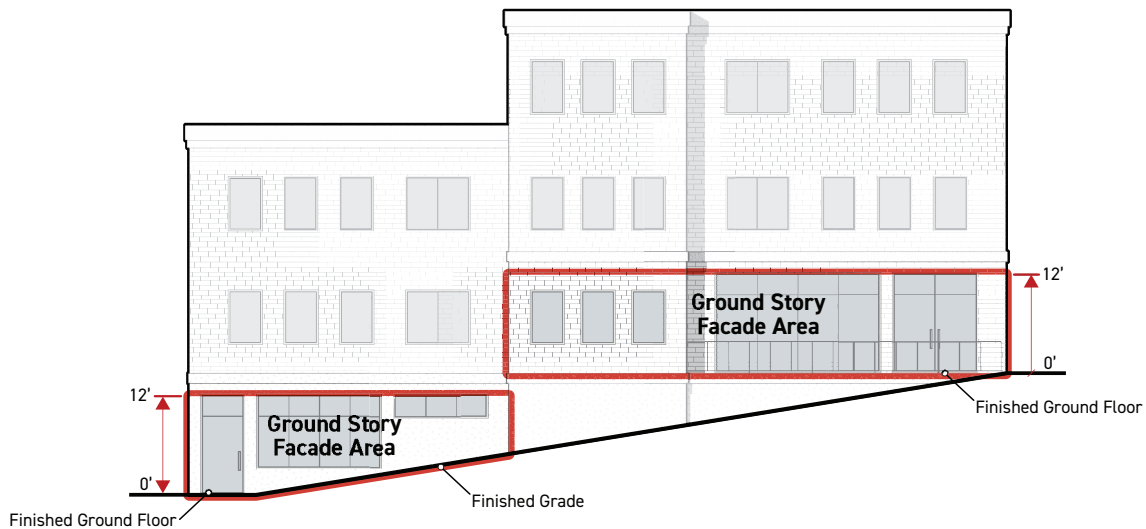
- c. Windows and doors used to meet the transparency requirements may be temporarily covered by operable window treatments, such as curtains or blinds.
- d. Muntins, mullions, window sashes, window frames, and door frames that are integral to window and door assemblies that are less than 3 inches in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



4. Ground Story

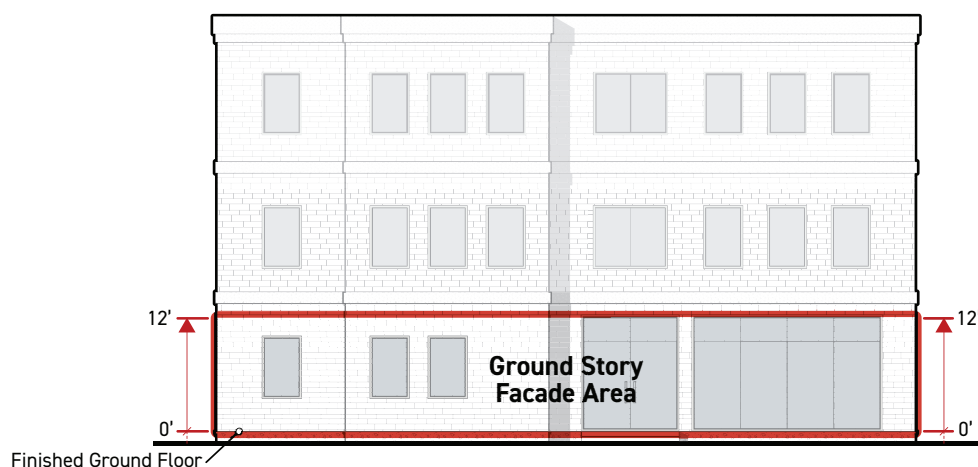
a. General

- 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.



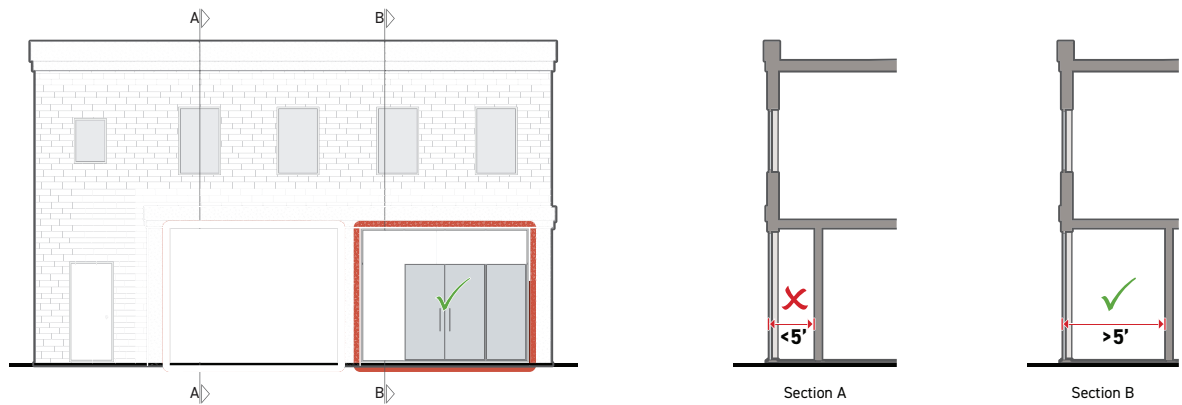
b. Commercial Ground Story Facade Area

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



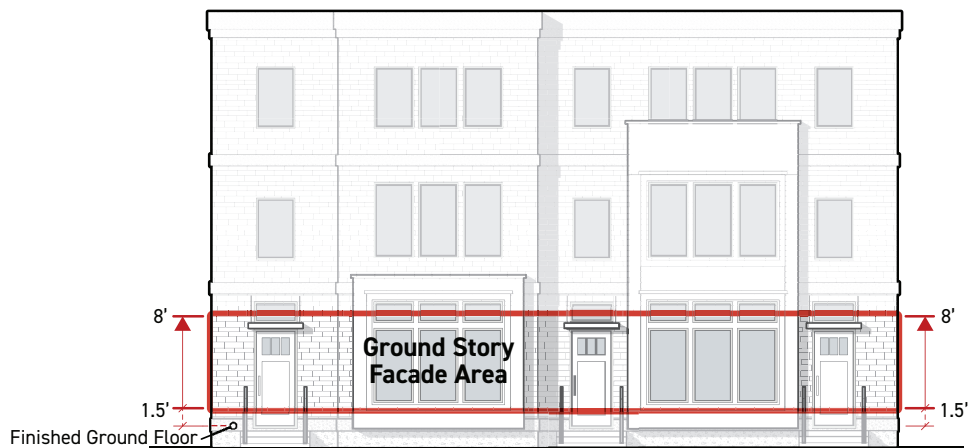
- ii. If the ground story height is less than 12 feet, ground story facade area is measured between the top of the finished floor of the ground story and the top of the finished floor above. When there is no story above, it is measured to the top of the wall plate.

- 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 windows signs that meet *Div. 4.5, Signs*.



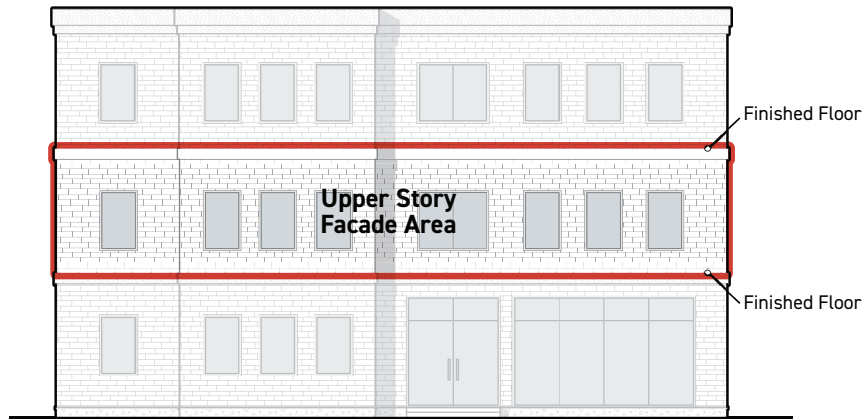
c. Residential/Public/Industrial Ground Story Facade Area

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



5. Upper Stories

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



B. Blank Wall Width

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

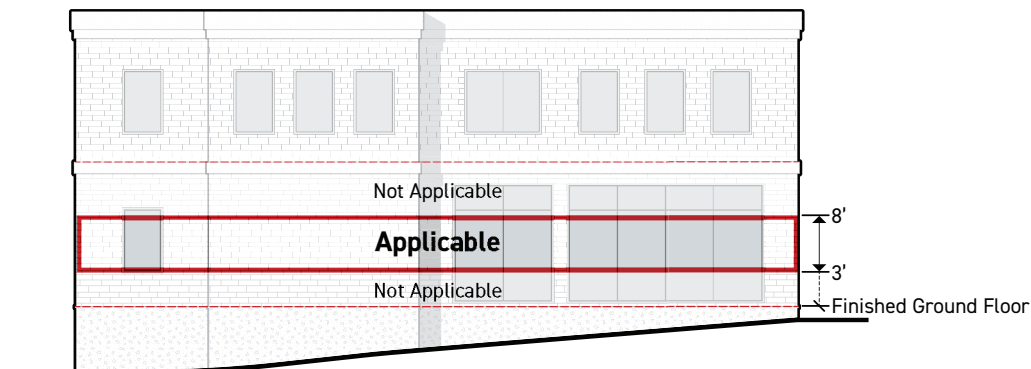
1. Intent

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

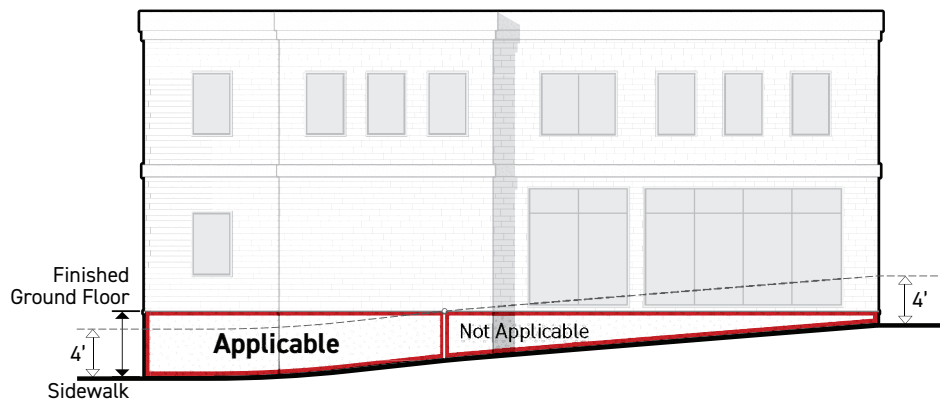
2. Applicability

Blank wall width applies to the following:

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

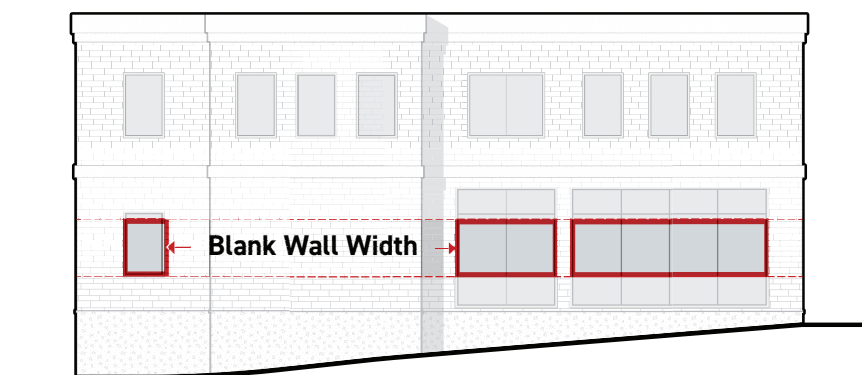


- b. All portions of foundation walls on street-facing building facades that are exposed 4 feet in height or greater above finished grade. If foundation walls are set back more than 10 feet from a sidewalk, exposed height is measured from the lowest elevation of finished grade within 5 feet, measured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



3. Ground Story Facade Blank Wall Width

- a. Windows and doors meeting *Sec. 2.10.13, Transparency*, on ground story facades can be separated by a distance no greater than the maximum blank wall width specified by the zoning district.
- b. Ground story facade blank wall width is measured horizontally and parallel to the street lot 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.



C. Administrative Relief

1. A transparency requirement may be modified up to 10% in accordance with *Div. 5.2*.
2. A blank wall width dimensional standard may be modified by up to 15% in accordance with *Div. 5.2*.

2.10.14. Entrances

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. This is accomplished by limiting the distance between building entrances.

2. Applicability

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

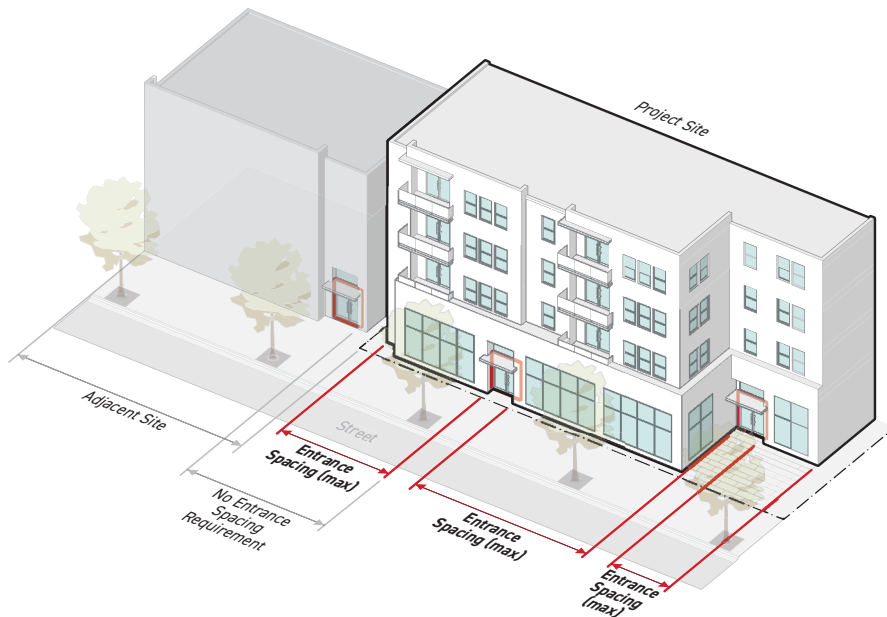
3. General

- a. A street-facing entrance must be provided to meet the street-facing entrance requirements of the zoning district.
- b. A required street-facing entrance must meet the following criteria:
 - i. Be located on a ground story facade.
 - ii. Provide pedestrians the ability to both enter and exit the ground story of the building.
 - iii. Must provide access to an occupiable space.
 - iv. Remain operable at all times. Access may be controlled or limited to residents or tenants.
 - v. Provide an entry feature that meets the standards specified in Sec. 2.10.14.A.5.
- c. A primary street-facing entrance must front onto a primary street.
- d. A side street-facing entrance must front onto a side street.
- e. A street-facing entrance shall not face the rear facade or garage door of a dwelling.
- f. 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.
- g. Accessory structures do not have to provide a street-facing entrance.
- h. Non-required entrances are allowed in addition to required entrances.
- i. A pedestrian walkway shall provide access to the street-facing entrance from the specified right-of-way, as required by the zoning district. The pedestrian walkway shall be separate from the driveway,

4. Street-Facing Entry Spacing

- a. A street-facing entrance cannot be located farther apart than the maximum entry spacing requirement of the zoning district.

- b. 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.
- c. On a corner lot, an angled entrance may be used to meet the street-facing entrance spacing requirements for both streets.
- d. Accessory structures are not included in the calculation of the street-facing entry spacing requirement.
- e. The street-facing entry spacing requirement must be met for each building and abutting buildings on the site, but does not apply to buildings unrelated to the project.



5. Entry Features

a. General

- i. Required entry features must abut and provide direct access to a street-facing entrance.
- ii. Required entry features must provide direct pedestrian access to the building from the specified right-of-way, as required by the zoning district.
- iii. Entry features may not be fully enclosed.
- iv. Entry feature finished floor elevation may be reduced as required for ADA compliance.
- v. For allowable setback encroachments see *Sec. 2.10.7.D, Exceptions*.

b. Required Entry Features

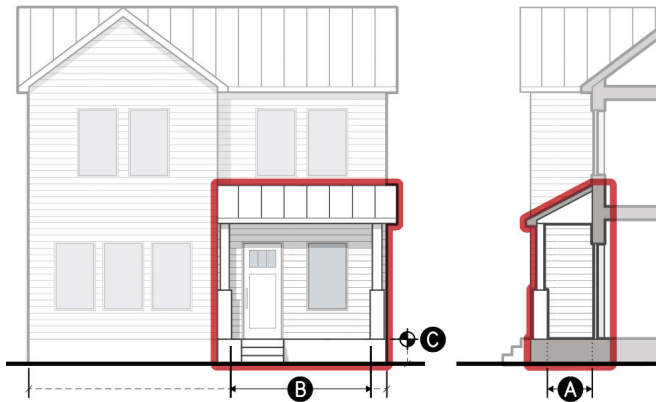
The following building types have specific entry feature requirements.

Building Type	Required Entry Feature
Single-unit detached home	Porch
Duplex	Porch
Townhouse	Porch, Stoop, or Forecourt

c. Entry Feature Options

i. Porch

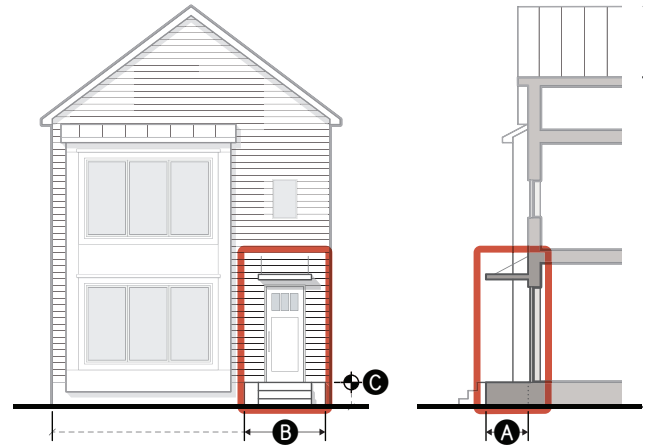
A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.



Dimensional Standards	
A Depth (min)	5'
B Width (min % of building width)	30%
Covered entrance	Required
C Finished floor elevation (min/max)	As specified by zoning district
Porch column width (min)	8" or equivalent
Porch column spacing (max)	12' on center

ii. Stoop

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



Dimensional Standards	
A Depth (min)	3'
B Width (min)	4'
Covered entrance	Optional
C Finished floor elevation (min/max)	As specified by zoning district

iii. Forecourt

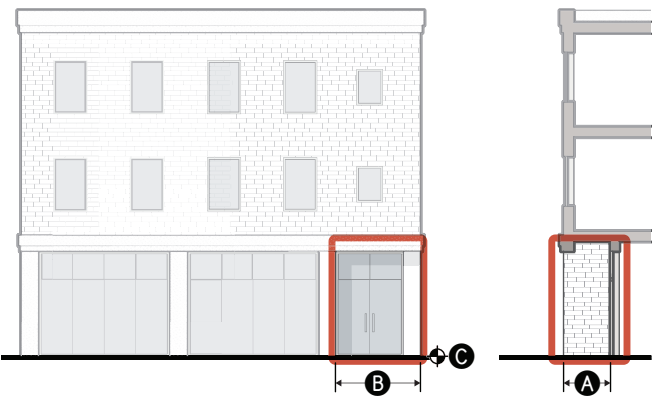
A yard screened with a short wall, fence or hedge that provides significant privacy for tenants located on the ground story, near sidewalk grade.



Dimensional Standards	
A Depth (min)	8'
B Width (min)	10'
Covered entrance	Required
C Finished floor elevation (min/max)	-2'/5'
Fence/wall height (min/max)	2.5'/4'

iv. 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'

v. Covered Entry

A space that provides sheltered access to a ground story street-facing entrance with an overhead projecting structure.



Dimensional Standards	
Covered entrance	Required
A Finished floor elevation (min/max)	-2'/2'
Fully enclosed	Not allowed

d. Measurement

i. Depth

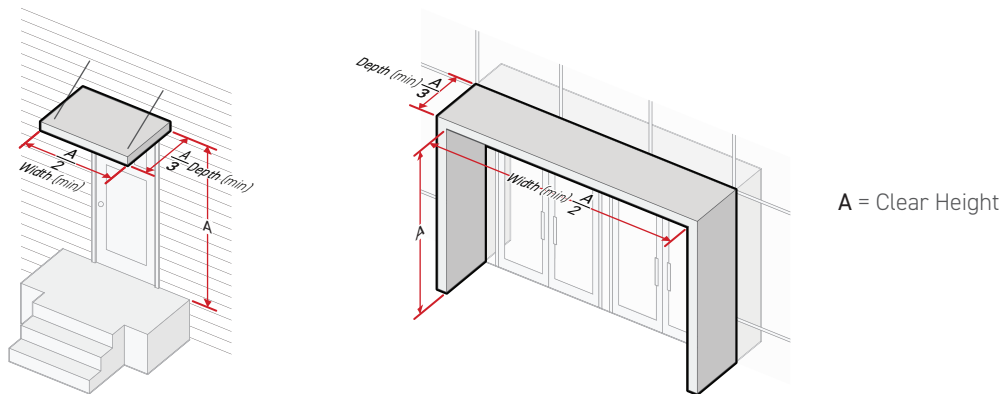
Minimum depth is measured as the horizontal dimension where the occupiable portion of the entry feature is at its narrowest, measured perpendicular to the primary or side street lot line.

ii. Width

- 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 primary or side street lot line.
- When specified in feet, width is measured as the total width of the occupiable portion of the entry feature, as measured parallel to the primary or side street lot line.

iii. Covered Entrance

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



iv. Finished Floor Elevation

Finished floor elevation is measured from the average 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 average finished grade within 5 feet of the entry feature, measured perpendicular to the entry feature area.

v. Fence or Wall Height

See Sec. 4.3.4.D.4. Measurement of Height.

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CHAPTER 3. **USE REGULATIONS**

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Div. 3.1. General Provisions

3.1.1. Use Categories

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

3.1.2. Principal Uses

Principal uses are grouped into use categories. Permitted uses are shown in *Div. 3.2, Allowed Uses*. Definitions and additional use standards for each use are listed in *Div. 3.3, Use Standards*. The examples of permitted uses listed are not an exhaustive list. The Administrator is responsible for categorizing uses (see *Sec. 3.1.4, Administrator Responsibility*).

3.1.3. Accessory Uses

Accessory uses are allowed in conjunction with a permitted principal use. See *Div. 3.4, Accessory Uses and Structures*.

3.1.4. 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 *Div. 3.3, Use Standards*, 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.

Div. 3.2. **Allowed Uses**

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

3.2.1. **Use Table Key**

A. Ministerial Uses

P = A by-right permitted use.

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

B. Discretionary Uses

R = A use that requires Relief per Div. 5.3.

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

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

C. Uses Not Permitted

- = A use that is not permitted.

3.2.2. Permitted Use Table

	OC	OP	CN	N2.5	N2.5-12	N-F2.5	N-F3	MX3	MX-S3	MX-F	Add'l Use Standard- See Section
A. RESIDENTIAL											
Household Living	-	-	P	P	P	P	P	P	P*	-	3.3.1.A
Group Living	-	-	P*	P*	P*	P*	P*	C	C	-	3.3.1.B
Social Services	-	-	-	-	-	-	-	C	C	-	
B. PUBLIC											
Community Service	-	P	-	-	-	-	-	P*	P*	P*	3.3.2.A
Day Care	-	-	-	-	-	P*	P*	P	P	P	3.3.2.B
Education	-	R	R	P	P	P	P	P	P	P	
Government	-	-	-	-	-	-	-	P	P	P	
Parks & Open Space	P	P	P	P	P	P	P	P	P	P	
Religious Assembly	-	-	R	R	R	R	R	P*	P*	P*	3.3.2.F
Urban Agriculture	-	P*	P*	P*	P*	P*	P*	P*	P*	P*	3.3.2.G
C. COMMERCIAL											
Adult Entertainment	-	-	-	-	-	-	-	-	-	-	
Animal Care	-	-	-	-	-	-	-	P*	P*	P*	3.3.3.B
Auto-Related	-	-	-	-	-	-	-	P*	-	P*	3.3.3.C
Eating & Drinking	-	-	-	-	-	P*	P*	P	P	P	3.3.3.D
Indoor Entertainment	-	-	-	-	-	-	-	P	P	P	
Lodging	-	-	P*	-	-	P*	P*	P	P*	P	3.3.3.F
Medical	-	-	-	-	-	P*	P*	P	P*	P	3.3.3.G
Office	-	-	-	-	-	P*	P*	P	P*	P	3.3.3.H
Outdoor Recreation	-	-	-	-	-	-	-	-	-	P*	3.3.3.I
Personal Service	-	-	-	-	-	P*	P*	P	P	P	3.3.3.J
Retail	-	-	-	-	-	P*	P*	P	P	P	3.3.3.K
Vehicle Sales & Rental	-	-	-	-	-	-	-	-	-	-	
D. INDUSTRIAL											
Heavy Industrial	-	-	-	-	-	-	-	-	-	-	
Light Industrial	-	-	-	-	-	-	-	-	-	P	
Maker Space	-	-	-	-	-	P*	P*	P	P	P	3.3.4.C
Research & Development	-	-	-	-	-	-	-	-	-	P	
Self-Storage	-	-	-	-	-	-	-	-	-	-	
Warehouse & Distribution	-	-	-	-	-	-	-	-	-	P	

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

Div. 3.3. Use Standards

3.3.1. Residential Uses

A. Household Living

1. Definition

- a. A dwelling unit that provides living facilities for a household on a monthly or longer basis.
- b. A household is a group of individuals living together as a family, as defined per Sec. 153.140 of the Code of Ordinances.

2. Examples of Included Uses

- Single-unit detached home
- Duplex
- Townhouse/rowhouse
- Multi-unit dwelling/apartment building
- Senior/independent living

3. Additional Use Standards

MX-S Shopfront Districts - Dwelling units are not permitted on the ground story of a mixed-use building, except as noted below.

- a. A lobby and shared facilities (such as a gym, lounge area, meeting space or mail room) are permitted on the ground story.
- b. For buildings located on Merriman Rd. or Portage Path, household living uses are permitted on ground story building frontages that do not face Merriman Rd. or Portage Path.

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

3. Additional Use Standards

Neighborhood Districts - up to 10 unrelated residents, not including resident managers or supervisors, are allowed.

C. Social Services

1. Definition

A facility that provides treatment for persons not protected under the Fair Housing Act or who present a direct threat to the persons or property of others. Includes persons convicted for illegal manufacture or distribution of a controlled substance, sex offenders, and juvenile offenders. Also includes facilities that provide transient housing related to post-incarceration and 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

3. Additional Use Standards

- a. *Neighborhood Flex Districts* - floor area cannot exceed 3,000 square feet.

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, technical, 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, a 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

3. Additional Use Standards

- Neighborhood Districts* - site cannot exceed 4 acres in size.
- Mixed-Use Districts* - by-right site cannot exceed 4 acres in size. Additional site area may be permitted through the Conditional Use process.

G. Urban Agriculture

1. Definition

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

2. Examples of Included Uses

- Community garden
- Market garden

3. Additional Use Standards

- For the keeping of farm animals or bees in the City of Akron, see *Title 9, Chapter 92 of the City of Akron Code of Ordinances*.
- Any equipment or supplies kept on-site must be enclosed or screened from the street and any adjacent residential uses.
- Activities and operations must be conducted between the hours of 7:00 am and 7:00 pm.

- d. 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.
- e. Maximum area of on-site retail sales structures: 200 square feet.

3.3.3. Commercial Uses

A. Adult Entertainment

- 1. In the City of Akron, see the definition of Sexually Oriented Business in *Title 15, Sec. 153.140 of the Code of Ordinances* for the definition of Adult Entertainment uses.

B. Animal Care

1. Definition

A facility providing care and 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

3. Additional Use Standards

- a. *Mixed-Use and Mixed-Use Shopfront 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.
- b. *MX-F District* - 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 through the Conditional Use process.

C. 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 as a principal use
- 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

3. Additional Use Standards

When allowed by the zoning district, auto-related uses shall meet the following standards:

- a. Bay doors and active servicing of vehicles must be screened from view from adjacent streets.
- b. Newly constructed gas stations, and gas stations with construction resulting in 50% or more of the property being altered, must meet the following additional standards:
 - i. No gas station may be located within 2,500 feet of another gas station, as measured from closest lot lines.
 - ii. Gas pumps and any associated canopies may not be located in a front yard or side street yard.
 - iii. Canopies must be constructed with materials similar in appearance to the building materials used for the associated principal building.
 - iv. No signage is permitted on a gas station canopy.
- c. Drive-thru's must meet the standards of *Sec. 3.4.3.A, Drive-Thru.*

D. Eating and Drinking

1. Definition

An 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
- Coffee, tea shop
- Juice bar, smoothie shop
- Hookah lounge
- Ice cream, yogurt shop
- Mobile food shops
- Micro-brewery, micro-distillery, micro-winery
- Restaurant, brewpub

3. Additional Use Standards

- a. *Neighborhood Flex Districts* - floor area cannot exceed 3,000 square feet.

E. 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, paintball
- Escape room
- Ice or roller skating rink
- Indoor sports facility
- Inflatable playground/jump house facility
- Mini-golf
- Motor track

3. Additional Use Standards

- a. *All Districts* - Indoor shooting ranges are not permitted.

F. 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

3. Additional Use Standards

- a. *CN and Neighborhood-Flex Districts* - up to 10 rooms or 20 beds allowed for the use of overnight lodging.
- b. *Mixed-Use Storefront Districts* - lodging uses may not be located on the ground story. A lobby and shared facilities (such as a gym, lounge area, meeting space or dining area) are allowed on the ground story.

G. Medical

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

3. Additional Use Standards

- a. *Neighborhood Flex Districts* - total floor area cannot exceed 3,000 square feet.
- b. *Mixed-Use Storefront Districts* - medical uses may not be located on the ground story.

H. 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 that occur in a private or co-working setting, including: accounting, advertising, architecture, auditing, 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

3. Additional Use Standards

- a. *Neighborhood Flex Districts* - total floor area cannot exceed 3,000 square feet.
- b. *Mixed-Use Storefront Districts* - office uses may not be located on the ground story.

I. Outdoor Recreation

1. Definition

Facility providing entertainment or recreation activities primarily in an outdoor setting.

2. Examples of Included Uses

- Amusement park
- Drive-in theater
- Campground, travel trailer park, or recreational vehicle park
- Extreme sports facility, such as BMX, skateboarding, paintball, ATV/motocross park
- Golf course, country club, or executive par three golf course
- Outdoor entertainment activity such as batting cage, golf driving range, mini-amusement park
- Golf course
- 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

3. Additional Use Standards

MX-F Districts - the following outdoor recreational uses are not permitted:

- a. amusement parks
- b. extreme sports facilities
- c. outdoor shooting ranges.

J. 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 products, 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

3. Additional Use Standards

Neighborhood Flex Districts - Total floor area cannot exceed 3,000 square feet.

K. 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, banking, 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.
- c. Medical Marijuana Retail Dispensaries, as licensed through the State and approved through the Conditional Use process.

3. Additional Use Standards

Neighborhood Flex Districts - Total floor area cannot exceed 3,000 square feet. Retail uses are permitted on the ground story only.

L. 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

M. 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 a 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, chemicals, 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. 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
- Medical Marijuana Cultivators, Processors, and Testing Laboratories, as licensed through the State and approved through the Conditional Use process.
- 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

C. Maker Space

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

3. Additional Use Standards

Neighborhood Flex Districts - Total floor area cannot exceed 3,000 square feet. Maker spaces must be located on the ground story.

D. 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.

E. Warehouse and Distribution

1. Definition

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

2. Examples of Included Uses

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

Div. 3.4. **Accessory Uses and Structures**

3.4.1. **General Provisions**

- A. Unless otherwise expressly stated, accessory uses and structures are permitted in conjunction with allowed principal uses. Accessory uses and structures must be accessory and customarily incidental and subordinate to a permitted principal use.
- B. No accessory uses and structures may be established on a site prior to the establishment of a permitted principal uses.
- 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 40% of the area of any side street yard.

3.4.3. **Accessory Uses**

A. **Drive-Thru**

A drive-thru is intended to allow the rendering of services or delivery of products directly to a customer who is seated in a motor vehicle. A drive-thru is permitted as an accessory use, provided the following standards are met:

- 1. Drive-thru lanes and facilities, including but not limited to order boxes, menu boards, trash receptacles and pick-up windows, are not permitted between the primary building and a primary or side street.

2. Drive-thru facilities are not permitted within 50 feet of a ground-floor residential use (measured from the residential lot line to the closest point of the drive-through lane).
3. Direct pedestrian access from the street to all required street-facing entrances must be provided without crossing parking areas, drive aisles or any other vehicle-accessible area.

B. 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. **CN and N Districts** - 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. In all other districts, day care facilities are regulated as a principal use - see Div. 3.2, Allowed Uses.
4. A business sign is limited to one unlit wall or projecting sign no larger than 6 square feet in area, attached to the structure housing the family day care home.

C. Garage

A structure used for the parking or storage of motor vehicles at grade level.

1. Building Height: 18' maximum.
2. For garage setbacks, see Sec. 2.10.7.D.2.
3. For parking requirements, see Sec. 4.2.2.B.
4. For residential garage design requirements, see Sec. 4.2.3.
5. Parking structures are regulated as buildings, per the requirements of the zoning district.

D. 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 building or the neighborhood district in which it is located. 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. The floor area dedicated to the home-based business shall not exceed 25% of the floor area of the dwelling unit where the home-based business is located.

- d. No more than 1 vehicle used in association with the home-based business may be parked on site at any one time. No commercial vehicles may be parked on site.
- e. Delivery of material to or from the home-based business shall not involve the use of commercial vehicles other than those normally associated with residential delivery, such as postal or parcel delivery vehicles.

2. Exterior Appearance

- a. All activities associated with the home-based business must be conducted inside the principal residential dwelling unit or within a completely enclosed accessory 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 zoning district in which it is located.
- 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. Display of goods or equipment associated with the home-based business shall 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. Business signage is limited to one unlit wall or projecting sign no larger than 2 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:
 - i. Personal service, except:
 - Beauty, hair, nail, tanning salon
 - Dry cleaning, laundromat
 - Funeral home, mortuary and undertaking establishment, pet funeral home
 - Photocopy, blueprint, package shipping, quick-sign service, mailbox service
 - Repair of appliances, bicycles, lawn mowers, power tools
 - Tattoo parlor, body piercing
 - Wedding chapel
 - ii. Office.
 - iii. Maker space.
- b. Family home day care is subject to *Sec. 3.4.3.B, Family Day Care Home*.

4. Prohibited Uses:

- Auto-related uses, vehicle repair, vehicle sales
- Commercial uses, except office and personal service uses
- Industrial uses, except maker spaces
- Medical uses, except therapeutic massage
- Tool rental, equipment rental

5. Employees and Customers

- a. 1 nonresident person engaged in the home-based business is allowed on site at any given time.
- b. Customers 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 2 customers or clients may be present at the home-based business at any one time.
- d. A maximum of 10 customers or clients may visit the home-based business in a single day.

E. 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.

1. Live-work dwelling units are not allowed in CN and N Districts.
2. Uses in the nonresidential portion of the live-work unit are limited to the nonresidential uses permitted in the district.
3. A maximum of 1 live-work use is allowed per dwelling unit.
4. Floor area of a live-work dwelling unit: 3,000 square feet maximum.
5. The nonresidential area is limited to the ground story only of the live-work dwelling unit.
6. Live-work is only permitted in units with street level access.
7. The nonresidential portion of the unit must be directly accessible by the primary entrance.
8. Live-work units are subject to the district story height and window standards for a ground-floor nonresidential use.
9. Excluding areas used for bathrooms and storage, a minimum of 70% of the floor area of the nonresidential portion of each live-work unit must be open, with no fixed interior separation walls.
10. At least 1 person engaged in the live-work use must reside in the dwelling unit in which the live-work use is located, and the dwelling unit must be that person's primary place of residence.

11. Not more than 5 nonresidential workers or employees are allowed to occupy the live-work dwelling at any one time.

F. 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 impair the ability of pedestrians or cyclists to use the sidewalk. A minimum of 6 feet of clear sidewalk width must be maintained at all times. The planting area cannot be used to meet the clear sidewalk width requirement.
3. The hours of operation for the outdoor dining area may be no greater than that of the principal use.

G. 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 story 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.

H. 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 lot line, the outdoor storage area must be screened in accordance with Sec. 4.3.2.B, Street and Lot Line Screening.

I. 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 only allowed in the Mixed Use Flex (MX-F) District. All general outdoor storage must be permanently screened to a height of 8 feet, or the height of the stored material, whichever is taller.

CHAPTER 4.

DEVELOPMENT STANDARDS

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Div. 4.1. Applicability

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

4.1.1. General Applicability

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

		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Major Renovation	Maintenance & Repair
<u>Sec. 4.2.1</u>	Access	●	○	○	○	○	○	○
<u>Sec. 4.2.2</u>	Parking	●	○	○	○	○	○	○
<u>Sec. 4.2.3</u>	Residential Garage Design	●	●	●	○	○	○	○
<u>Sec. 4.2.4</u>	Bicycle Parking	●	●	●	○	●	●	○
<u>Sec. 4.3.1</u>	Parking Lot Landscaping	●	○	●	○	○	○	○
<u>Sec. 4.3.2</u>	Screening	●	○	○	○	●	○	○
<u>Sec. 4.3.3</u>	Walls & Fences	●	●	●	○	●	○	○
<u>Sec. 4.3.4</u>	Plants & Plant Material	●	●	●	○	●	○	○
<u>Sec. 4.3.5</u>	Stormwater Structures	●	●	●	○	○	○	○
<u>Sec. 4.4.2</u>	Street Lighting	●	○	○	○	○	○	○
<u>Sec. 4.4.3</u>	Outdoor Site Lighting	●	○	●	○	○	○	○
<u>Sec. 4.6.1</u>	Building Standards	●	●	○	●	○	○	○

● = Standards apply ○ = Standards do not apply

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

Div. 4.2. **Parking and Access**

4.2.1. **Access**

A. **Intent**

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

B. **Applicability**

Any site that provides access to motor vehicles.

C. **General Provisions**

1. All existing and proposed development that provides on-site parking or loading must provide a satisfactory means of vehicle access to and from a street or alley.
2. Every platted lot is permitted at least one driveway, unless otherwise modified by the Administrator,
3. When a site contains multiple lots, the number of driveways is regulated by *Sec. 4.2.1.E.2.*
4. When an improved alley exists, vehicle access must occur 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. These driveway access requirements must be met at the time of:

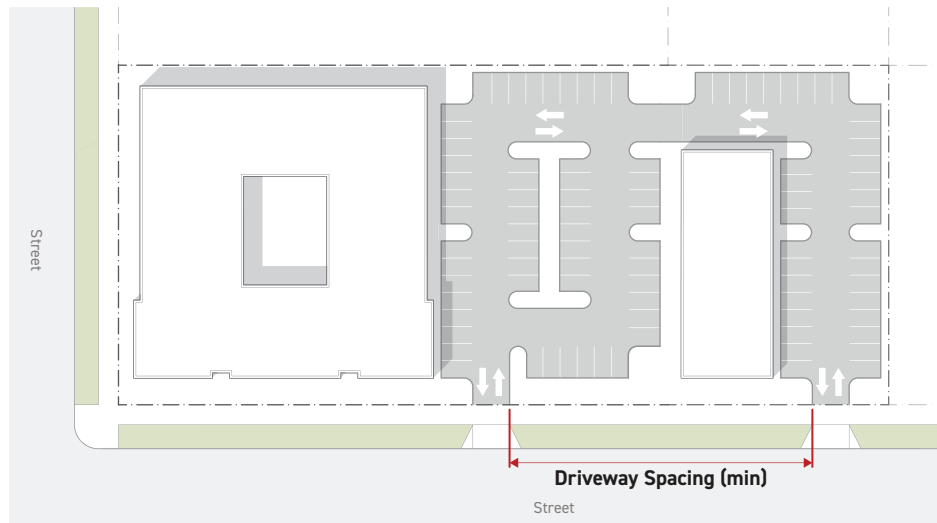
- a. New construction;
- b. Addition or major renovation of over 1,000 square feet of floor area; and
- c. Repaving of a parking area over 1,000 square feet in area.

2. **Standards**

- a. Driveways cannot 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.

ROADWAY CLASSIFICATION	SPACING (min)
Major Arterial	250'
Minor Arterial	200'
Collector	150'
Local / Residential	100'
Alley	25'

- b. The number of driveways must be the minimum needed to provide adequate and reasonable access to the site.
- c. Driveway spacing is measured along the primary or side street lot 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 are accessed from an alley.

2. All Driveways

- a. All 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'/10'
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'/11'	8'/11'
Driveway serving an Industrial use (of any size parking lot)	2	2	10'/14'	10'/14'

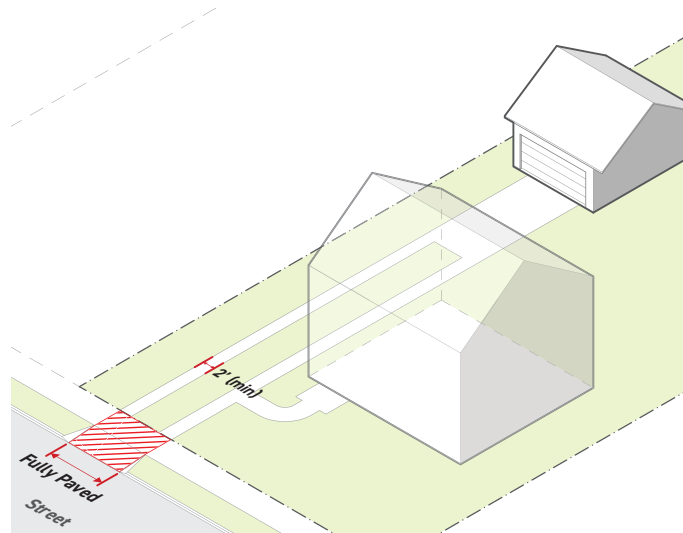
- b. Lane width is measured separately for each driveway lane. Lane width is measured from edge of designated lane to edge of designated lane along the street lot line.

3. Surfacing

- a. All driveways must be fully paved and constructed with concrete, asphalt, paving blocks, brick, other similar materials, or pervious surfacing which is intended for outdoor automobile use.
- b. Driveways serving two or fewer dwelling units may be paved with gravel or crushed stone.

4. Ribbon Driveways

- a. For driveways serving up to 6 on-site parking spaces, a ribbon driveway is 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. Driveway Aprons and Sidewalks

- a. At driveway aprons, the public sidewalk shall be continuous across the driveway, and the sidewalk shall be at the same elevation as the adjoining sidewalks. The apron shall slope up from the street grade to meet the sidewalk level.
- b. Driveway aprons shall have tapered sides. Radiused sides are prohibited.

F. Administrative Relief

- 1. The number of driveways per site may be modified, where necessary to ensure safe access, in accordance with Div. 5.2.
- 2. A vehicle access dimensional standard may be modified by up to 15% in accordance with Div. 5.2.

4.2.2. Parking

A. Intent

1. To reduce parking demand, support the use of alternative forms of transportation, promote the 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. And, 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. General

- a. Where provided, on-site parking must comply with the standards of this Division.

2. Required Parking

- a. There are no provisions that establish a minimum number of on-site parking spaces for development.

3. Parking Maximums

a. Residential Uses

Residential Dwelling Type	Number of bedrooms per dwelling unit	Maximum number of parking spaces per dwelling unit
Single-unit detached home	-	5
Duplex, Townhouse, or Apartment Building	Efficiency or 1-bedroom	1
Duplex, Townhouse, or Apartment Building	2-bedroom or greater	2
Supportive Apartment Building	-	1

b. Nonresidential Uses

- i. Maximum number of on-site parking spaces: 100% of the required parking in Sections 153.305 and 153.310 of the City of Akron Code of Ordinances.
- ii. No more than 1/3 of the total provided spaces may be reserved for a specific tenant or unit.

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 the parking space. Parking spaces shall be clearly delineated on three sides of each space.

3. Surfacing

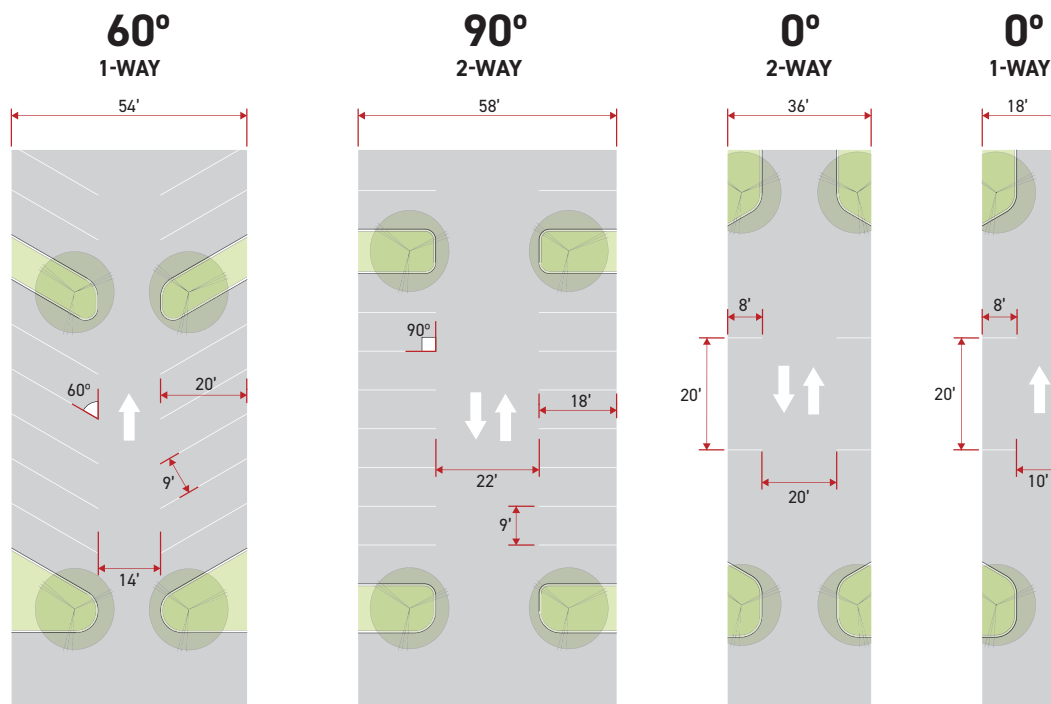
- a. All parking areas, including drive aisles and driveways, must be fully paved and constructed with concrete, asphalt, paving blocks, brick, other similar materials, or pervious surfacing which is intended for outdoor automobile use.
- b. Parking areas for two or fewer dwelling units may be paved with gravel or crushed stone.
- c. All parking areas must be graded and drained to collect, retain and infiltrate surface water on site.

4. Curbing

- a. Continuous curbing that is at least 6 inches in height must be installed around the edge of all parking and landscaped areas. Curbing must be constructed of continuous concrete, granite, or other approved material of similar durability and appearance.
- b. Curbing must contain inlets at appropriate intervals to allow stormwater infiltration from the open parking area.
- c. 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.
- d. Curbing is not required in a Conservation Neighborhood District.

5. Dimensions

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



6. Lighting

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

7. Landscaping

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

D. Loading Areas

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

E. Administrative Relief

1. A parking lot dimensional standard may be modified by up to 15% in accordance with *Div. 5.2*.

4.2.3. Residential Garage Design

A. Intent

To minimize the impact of street-facing garage doors on the public realm, and to promote a comfortable, engaging, and attractive streetscape, with active uses and landscaping along the public realm.

B. Applicability

All garages associated with a Household Living use.

C. Standards

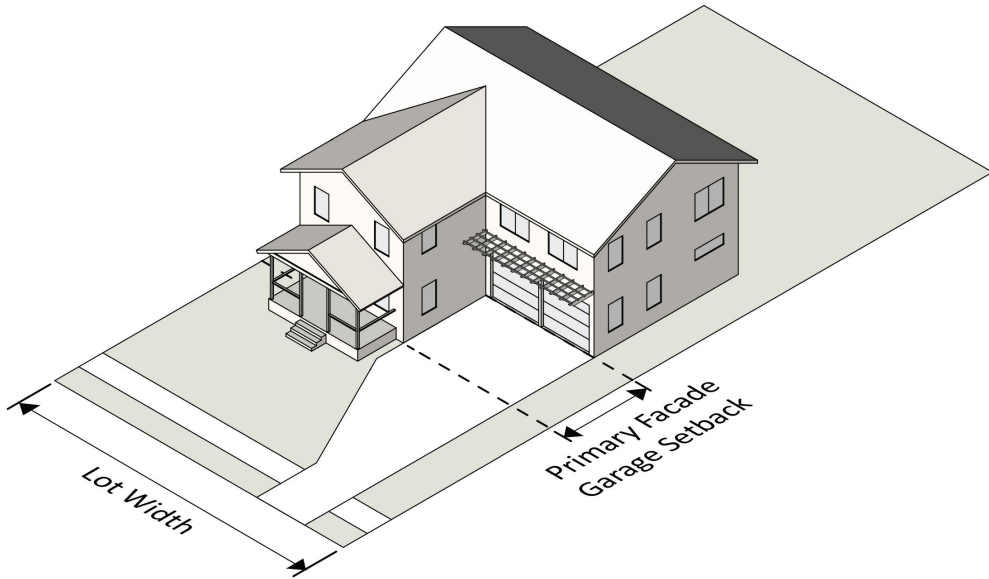
1. Transparency

- a. Residential garages are required to meet the transparency standards of the zoning district. Garage doors must be included in the calculation of transparency.
- b. Windows provided on garage doors may be considered transparent for the purposes of calculating transparency.

2. Garage Standards for Single-Unit Detached Homes and Multi-Family Structures containing 4 or fewer dwelling units

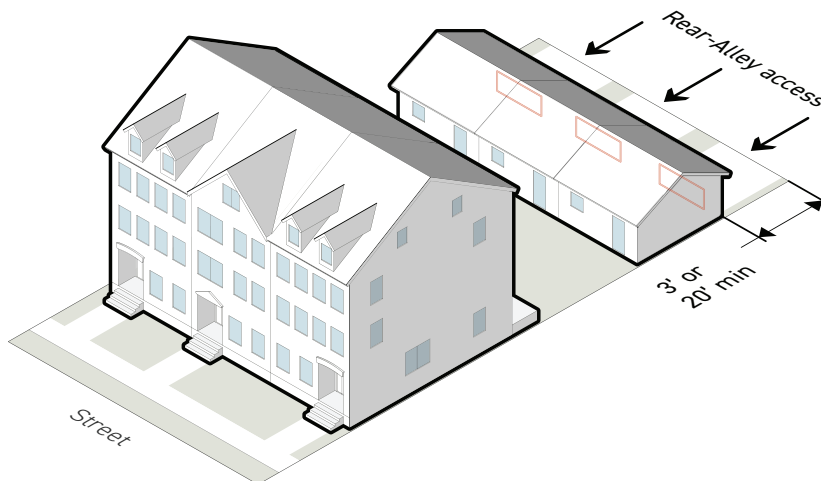
- a. When permitted by the zoning district, garage doors facing the primary street must have a total combined width that does not exceed 45% of the primary street-facing building width.
- b. Garage doors facing the side street must have a total combined width that does not exceed 66% of the side street-facing building width.
- c. Garages facing a primary or side street shall be set back 20' minimum from the street right-of-way, to allow sufficient space to accommodate the parking of a vehicle without blocking the sidewalk or public right-of-way.
- d. Garages facing the primary street must be set back from the primary street-facing building facade of the principal structure by the amount specified in the following table:

Lot Width	Primary Facade Garage Setback (min)
50' or less	15'
51' - 70'	10'
71' or more	5'



3. Garage Standards for Townhouses

- a. Garages must be placed entirely to the rear of each unit.
- b. Garage doors must not front on a primary or side street. Garage doors must face a rear or side alley, driveway, or easement.
- c. The garage door must be either 3 feet from the edge of alley pavement or at least 20 feet from the edge of alley pavement.



4. Garage Standards for Multi-Family Structures containing 5 or more dwelling units

- a. Garages must be placed entirely to the rear of the principle structure on the lot.
- b. Where a site abuts an alley, garages must not front on a primary or side street.
- c. Where a site has access to a side street, garages must not front on a primary street.
- d. Maximum garage door opening width facing a primary or side street: 22' total width per site.

4.2.4. 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 *Div. 3.2, Allowed Uses*.
2. Projects with 4 or fewer 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.

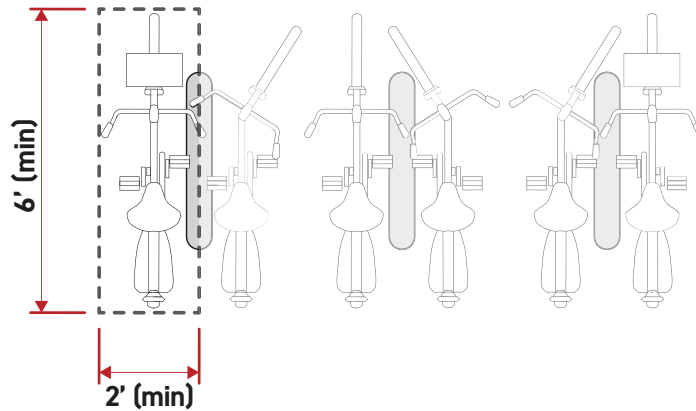
	Required Short-Term Spaces (min)	Required Long-Term Spaces (min)
RESIDENTIAL USES		
Household Living	1/10 units, 2 min	1/du
Group Living	1/6 beds, 2 min	1/3 beds
Social Services	1/6 beds, 2 min	1/3 beds
PUBLIC USES		
Parks and Open Space uses	1/2,000 SF of site area	None
All other Public uses	1/5,000 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	None	1/5,000 SF of gross floor area, 2 min

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

D. Bicycle Facilities

1. General

- a. 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.
- b. Bicycle parking spaces must be a minimum of 2 feet wide and 6 feet long.



- c. Spacing of bicycle racks must provide clear and maneuverable access.
- d. Bicycle parking must be provided in a well-lit area.
- e. If bicycles can be locked to each side of the rack, each side can be counted as a required space.
- f. Bicycle parking must consist of bicycle racks that support the bicycle frame at two points.
- g. Racks must allow for the bicycle frame and at least one wheel to be locked to the rack.
- h. Bike rack design shall follow the recommendations in the Association of Pedestrian and Bicycle Professionals (APBP) Bicycle Parking Guidelines, or similar.

2. Short-Term Bicycle Parking

- a. Short-term bicycle parking offers a secure place to park bicycles for customers, visitors, short-term guests, and other visitors who generally stay at a site for 3 hours or less.
- b. Short-term bicycle parking must be publicly accessible and be located on-site and cannot be located further away from the building 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.
- c. Short-term bicycle parking may be located within the public right-of-way subject to approval of a license for use of the public right-of-way.
- d. Business operators or property owners who choose to install bicycle parking within the public right-of-way are responsible for maintaining the racks.

- e. 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 more than 3 hours.
- b. Long-term bicycle parking must be located on-site or in an area within 200 feet of the building it serves.
- c. 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.

4. Administrative Relief

- a. The required number of bicycle parking spaces may be reduced by up to 10% in accordance with *Div. 5.2*. In no case shall the requirement be reduced to less than 2 spaces.
- b. A bicycle parking dimensional standard may be modified by up to 15% in accordance with *Div. 5.2*.

Div. 4.3. Landscaping & Screening

4.3.1. Parking Lot Landscaping

A. Intent

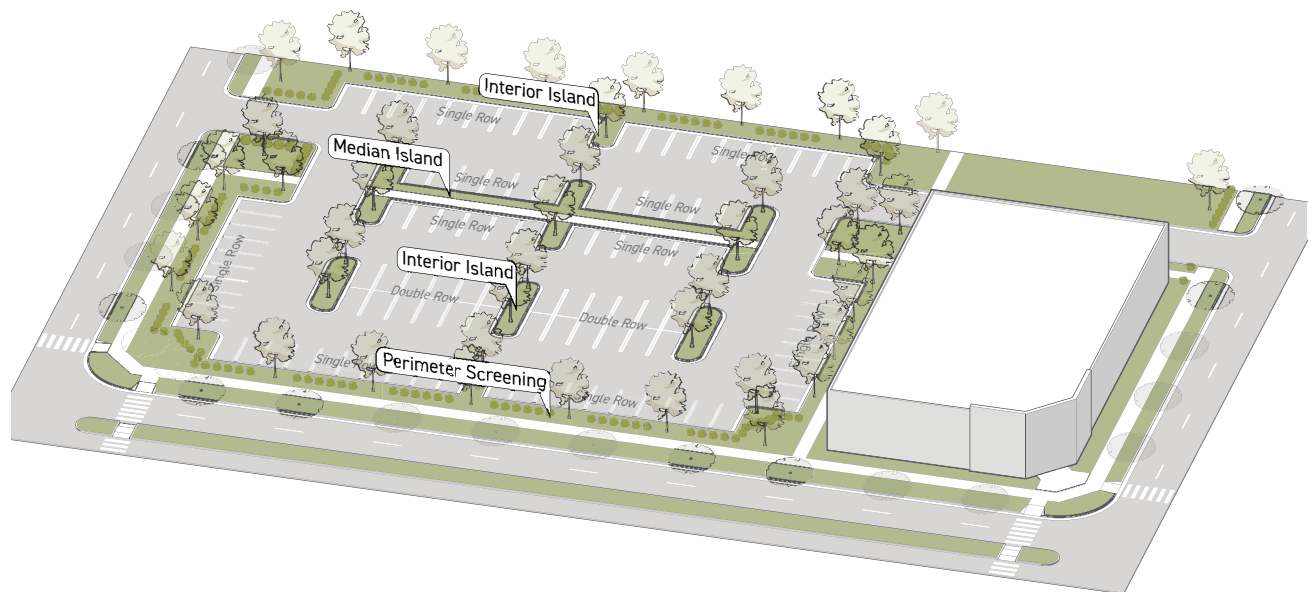
To ensure parking lots are designed to create safe, comfortable and attractive environments for users and pedestrians, while also mitigating heat island effects, absorbing noise pollution, managing stormwater runoff, sequestering carbon emissions and supporting urban biodiversity through landscaping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

B. Applicability

Parking lot landscaping is required on all on-site surface parking lots. 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, drive aisle, or other type of area designed for the operation of motor vehicles abuts a street lot line, these elements must be screened in accordance with *Sec. 4.3.2.B, Street and Lot Line Screening*.



D. Interior Islands

1. A landscaped interior island must be provided for every 15 parking spaces. Interior islands must be distributed evenly throughout the parking lot. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees.
2. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 large tree.

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

E. Median Islands

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

F. Administrative Relief

1. A parking lot dimensional standard may be modified by up to 15% in accordance with *Div. 5.2*.

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 Lot Line Screening

1. General Provisions

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

2. Street Lot lines

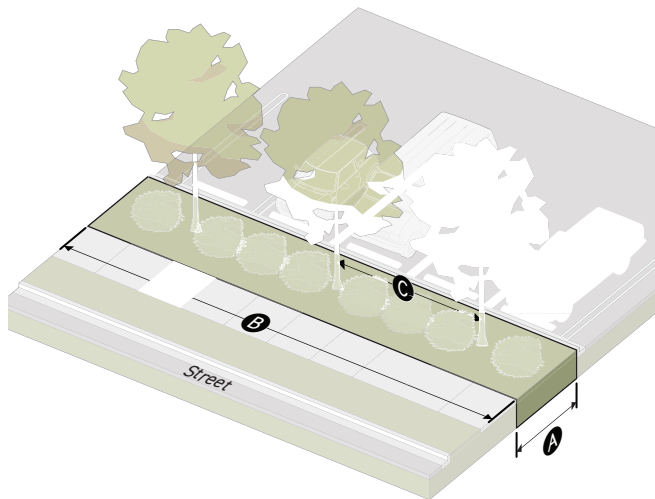
a. Applicability

- i. Where a parking lot, drive aisle, or other type of area designed for motor vehicles abuts a street lot line, a Type A1 or A2 screen is required along the street lot line.
- ii. Where a loading area faces a street lot line, a Type A3 screen is required along the street lot line.
- iii. Where an outdoor storage area abuts a street lot line, a Type A3 screen is required along the street lot 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 lot 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

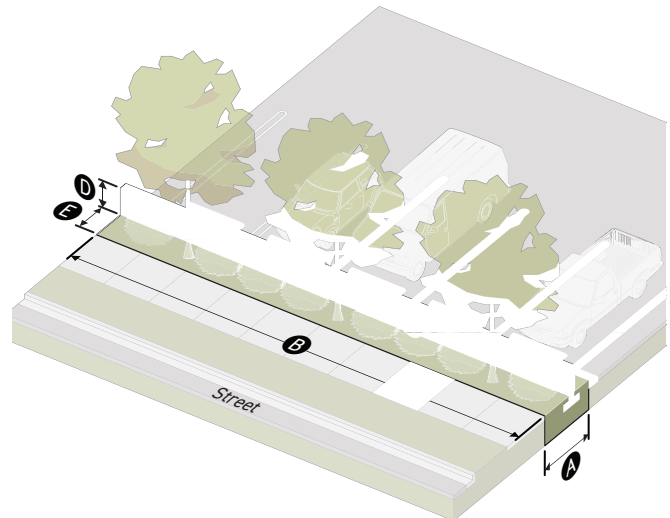
Landscape buffer intended for parking lot perimeters (including drive aisles, maneuvering areas and fire lanes) that face a street lot line.



TRANSITION AREA	
A Depth (min)	8'
B % of perimeter screened (min)	90%
Required plant type	Screening plants
C Large tree spacing (min)	25'
WALLS & FENCES	
Height (min)	n/a
Height (max)	n/a
Opacity	n/a

Type A2

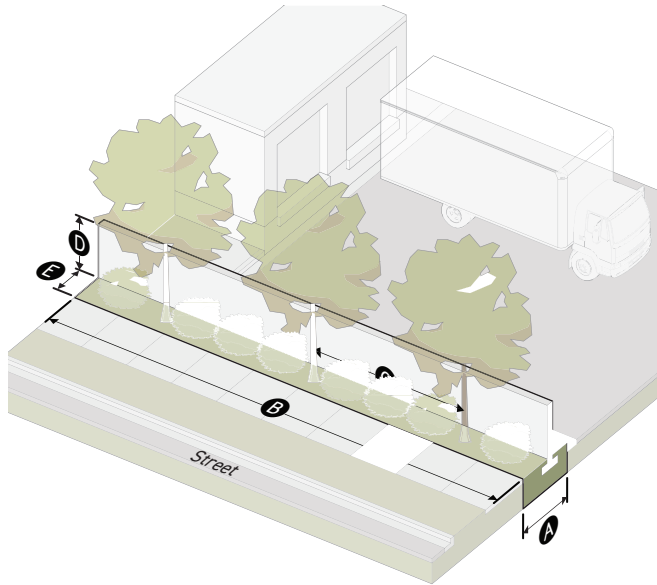
Landscape buffer with a low wall or fence intended for parking lot perimeters (including drive aisles, maneuvering areas and fire lanes) that face a street lot line.



TRANSITION AREA	
A Depth (min)	7'
B % of perimeter screened (min)	80%
Required plant type	Screening plants
C Large tree spacing (min)	25'
WALLS & FENCES	
D Height (min)	3.5'
Height (max)	6' Type C4 Sec. 4.3.3.C.1
Opacity	
Below 3.5' (min)	90%
3.5' and above (max)	50%
E Setback from lot 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 lot line.



TRANSITION AREA	
A Depth (min)	7'
B % of perimeter screened (min)	80%
Required plant type	Screening plants
C Large tree spacing (min)	25'
WALLS & FENCES	
D Height (min)	6'
Height (max)	8' Type C6 Sec. 4.3.3.C.2
Opacity (min)	90%
E Setback from lot line (min)	4'

3. Common Lot lines

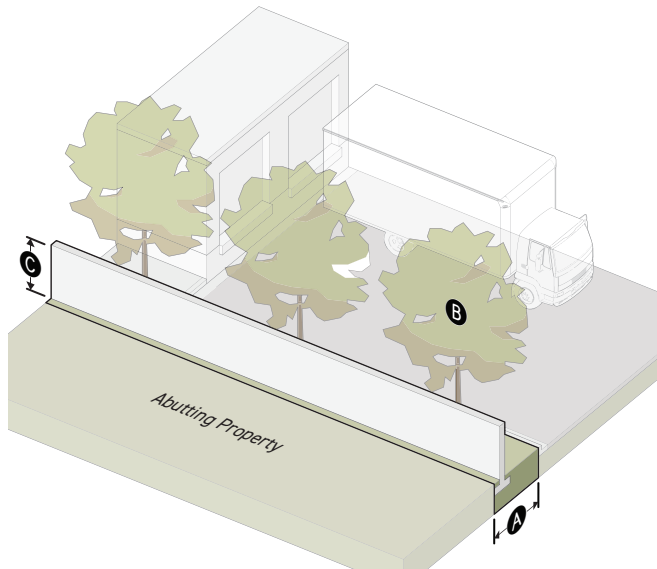
a. Applicability

- i. Where a loading area faces a common lot line, a Type B1 screen is required along the common lot line.
- ii. Where an outdoor storage area abuts a common lot line, a Type B1 screen is required along the common lot line.
- iii. Where a parking lot (or drive aisle or other type of area designed for motor vehicles) abuts a street lot line, a Type A1 or A2 screen is required along the street lot line.
- iv. When required by *Sec. 2.10.8, 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 lot line screens must be located along the common lot line for the length of the use or zoning district lot 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 Lot Line Screening Type

Type B1

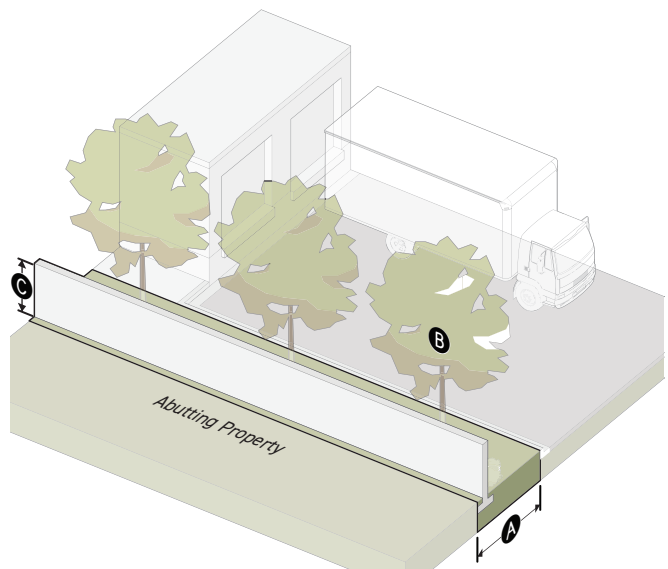
Medium landscape buffer with a high wall or fence intended for screening outdoor storage and loading areas that face a common lot line.



TRANSITION AREA	
A Depth (min)	7'
B Large tree spacing (min)	25'
WALLS & FENCES	
C Height (min)	6'
Height (max)	8' Type C6 Sec. 4.3.3.C.2
Opacity (min)	90%
Setback from property line (min)	0'

Type B2

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



TRANSITION AREA	
A Depth (min)	10'
B Large tree spacing (min)	25'
Shrubs spacing (min)	3'
WALLS & FENCES	
C Height (min)	6'
Height (max)	8' Type C6 Sec. 4.3.3.C.2
Opacity (min)	90%
Setback from property line (min)	0'

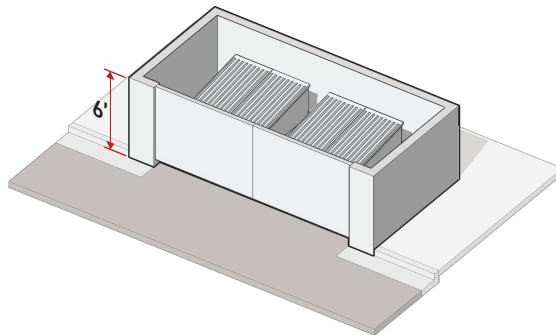
C. Waste Receptacle Screening

1. Applicability

All outdoor waste receptacle enclosures.

2. Standards

- a. Waste receptacles must be located so that they cannot be seen from the street. Waste receptacles cannot be located in a side street yard or front yard. Waste receptacles must be located to the side and rear of buildings and must meet the encroachment requirements of *Sec. 2.5.7.D, Exceptions*.
- b. Outdoor waste receptacles must be screened on three sides by a wall or fence a minimum height of 6 feet.
- c. Access gates must be provided on the fourth side and must also be a minimum height of 6 feet.
- d. The wall or fence and access gate screening must be a least 90% opaque.
- e. The screening enclosure must meet *Sec. 4.3.3.D, Design and Installation*.



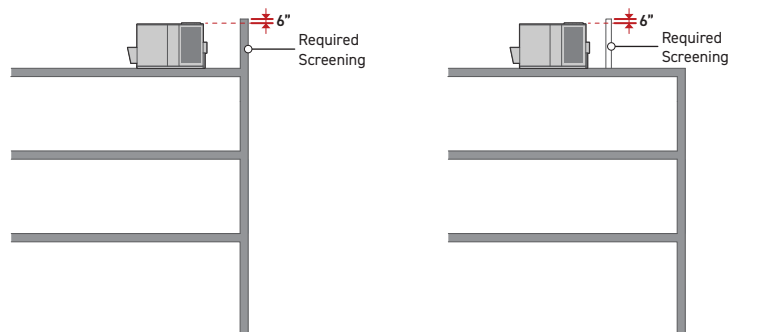
D. Roof-Mounted Mechanical/Electrical Equipment Screening

1. Applicability

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

2. Standards

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



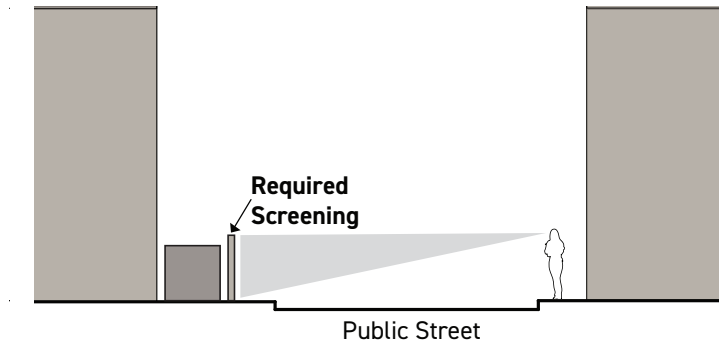
E. Ground-Mechanical/Electrical Equipment Screening

1. Applicability

All outdoor mechanical/electrical equipment located on the ground.

2. Standards

- Equipment cannot be located in a front yard or side street yard. Equipment must be located in the side or rear yard, and must meet the encroachment requirements of *Sec. 2.5.7.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 6 inches higher than the topmost point of the equipment being screened.
- The screening must be at least 75% opaque.
- Screening must meet *Sec. 4.3.3.D, Design and Installation*.



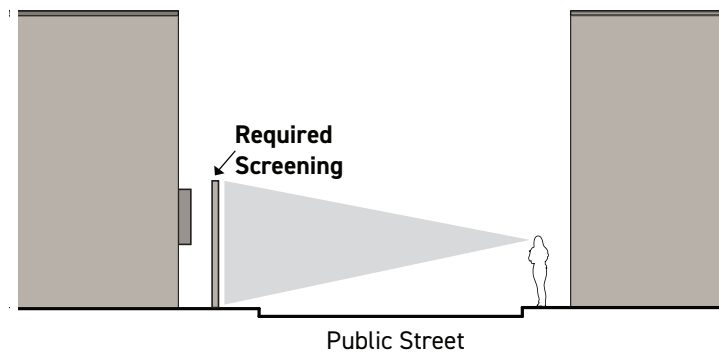
F. Wall-Mounted Mechanical/Electrical Equipment Screening

1. Applicability

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

2. Standards

- Equipment cannot be located in a front yard or side street yard. Equipment must be located in the side or rear yard, and must meet the encroachment requirements of Sec. 2.10.7.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 6 inches higher than the topmost point of the equipment being screened.
- The screening must be at least 75% opaque.
- Screening must meet Sec. 4.3.3.D, Design and Installation.



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

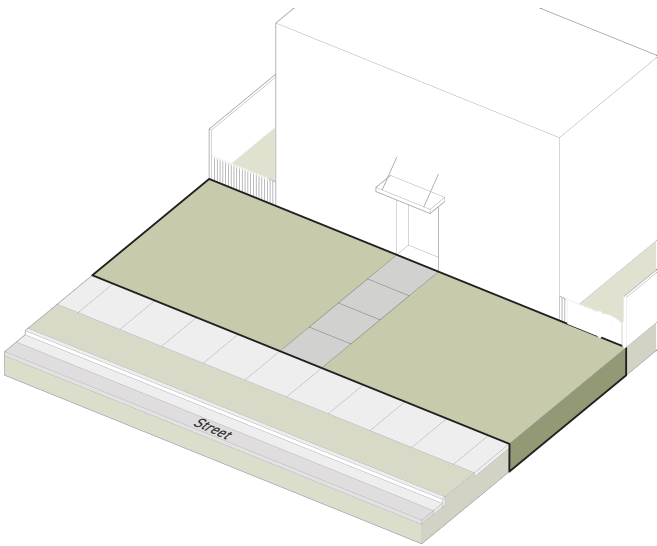
1. The wall and fence height limitations apply to all sites.
2. Where a screening requirement requires a taller wall or fence, the screening requirements supersede.

C. Wall and Fence Standards

1. Front/Side Street Yard Wall and Fence Types

Type C1

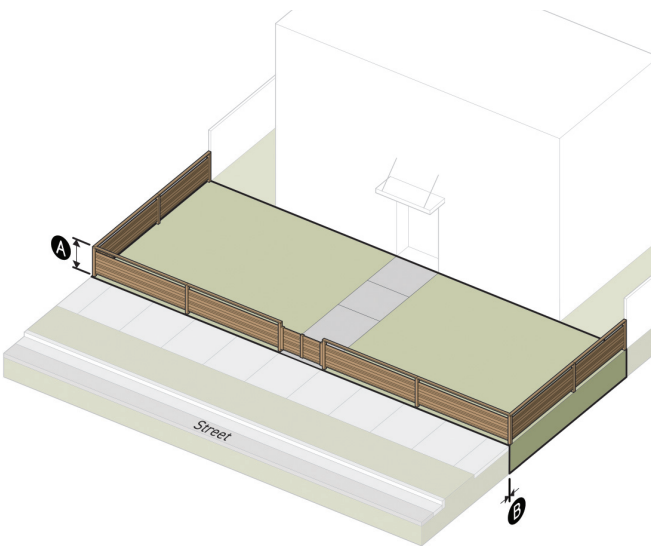
Intended for front and side street yards where buildings engage directly with sidewalks to provide natural surveillance and visual interest. Especially where ground story uses are commercial.



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

Type C2

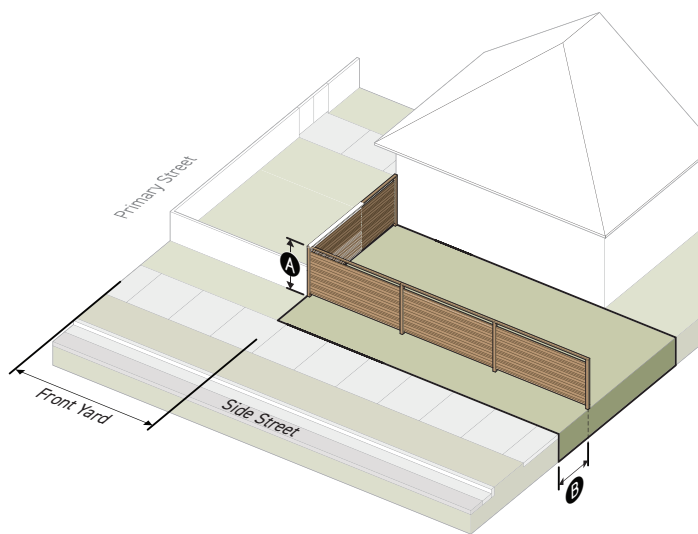
Intended for front yards and side street yards where the need for natural surveillance, and visual interest is balanced with the need for separation between private ground story uses and sidewalks.



STANDARDS	
A Wall/fence height (max)	4'
B Setback from lot 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 story uses.

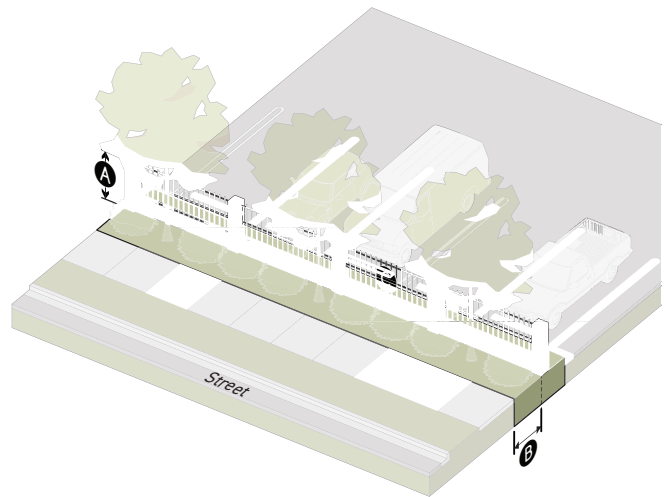


STANDARDS

A	Wall/fence height (max)	6'
B	Setback from lot line (min)	3'

Type C4

Intended for front yards and side street yards, and for 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.



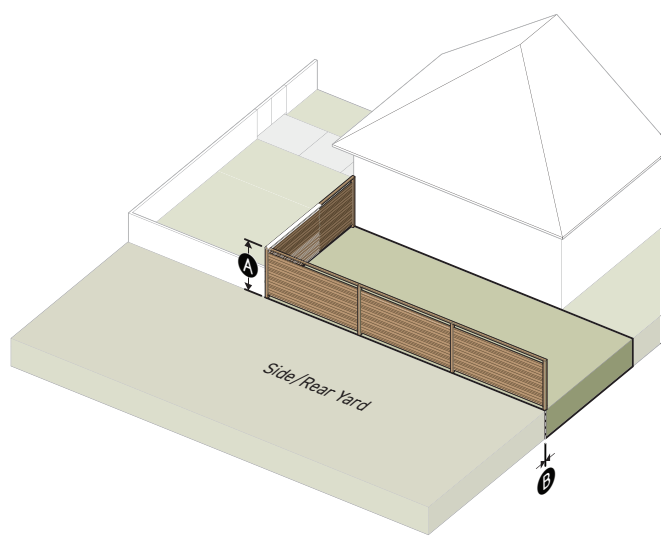
STANDARDS

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

2. Side/Rear Yard Wall and Fence Types

Type C5

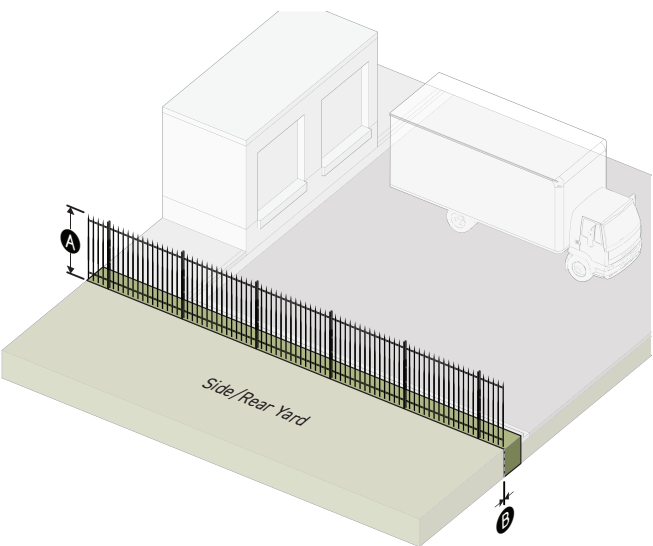
Intended for residential side and rear yards.



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

Type C6

Intended for commercial and industrial side and rear yards.



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

D. Design and Installation

1. Material

- a. Walls, fences and screens must be constructed of durable, low maintenance materials that have a long life expectancy.
- b. Chain-link fences in the front yard of residential uses shall not exceed 4' in height.
- c. No wall, fence or screen may be constructed of tires, junk, or other discarded materials.
- d. Barbed wire or concertina wire is not allowed.

2. Location

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

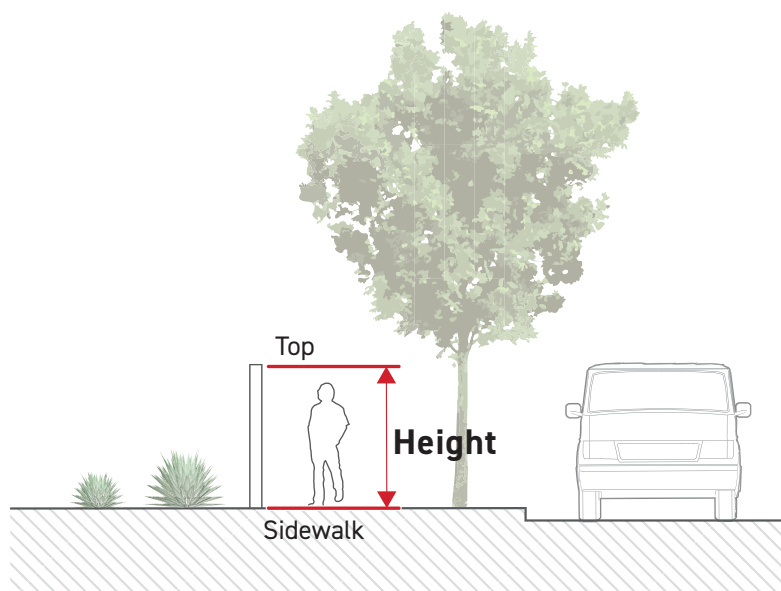
3. Maintenance

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

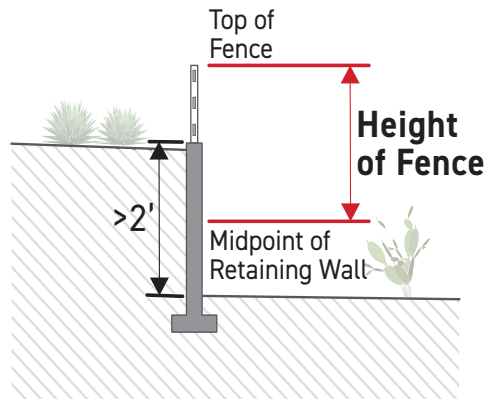
4. Measurement of Height

a. Front/Side Street Yards

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

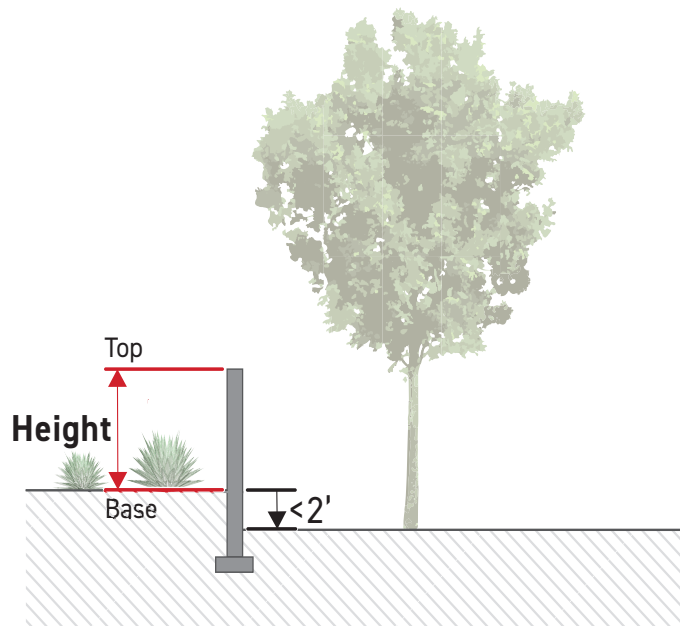


- ii. Where no sidewalk exists within 20 feet of the wall or fence, height is measured from the base of the wall or fence to the topmost point of the wall or fence, on the exterior side of the wall or fence.
- iii. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, height is measured from the top of the wall or fence to the midpoint of the retaining wall.

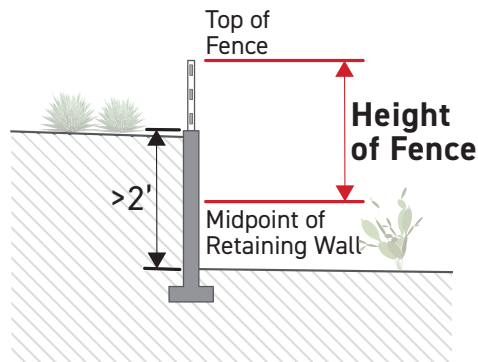


b. Side/Rear Yards

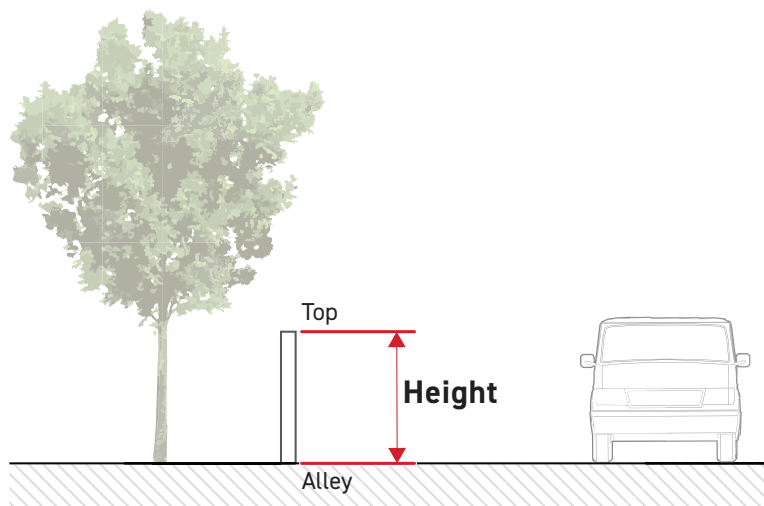
- i. Where the difference in grade on either side of a wall or fence is less than 2 feet, height is measured from at the base of the wall or fence on the side with the highest grade.



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

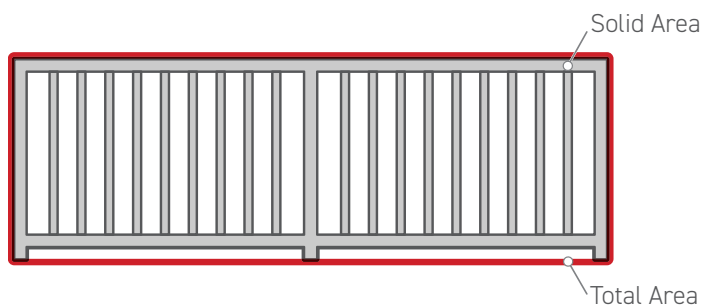


- iii. Fences and walls located in a rear or side yard abutting an alley are measured from the surface of the adjacent alley, vertically to the topmost point of the wall or fence.



5. Opacity

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



$$\frac{\text{Solid Area}}{\text{Total Area}} = \text{Opacity (\%)}$$

4.3.4. **Plants and Plant Material**

A. Intent

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

B. Applicability

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

C. General Provisions

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

D. Maintenance

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

E. Trees

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

F. Existing Tree Preservation

1. Preserve all existing healthy street trees.
2. Preserve existing healthy site trees, 24" DBH or greater.
3. Protect trees that are required to be preserved throughout construction by providing sturdy fencing located at the tree drip line.

G. 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.

H. 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.

I. 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 Z60.1)*.

4.3.5. Stormwater Structures

A. Intent

To regulate the location and appearance of stormwater control structures in order to provide a walkable environment, improved water quality, and wildlife habitat.

B. Applicability

Visible stormwater structures fronting on primary or side streets, or located within a front yard or side street yard.

C. Standards

1. Stormwater structures, such as detention basins and retention ponds, must be designed as "green" infrastructure features that serve as public or resident amenities. Examples include rain gardens, bioswales, fountains, ponds, or other water features.
2. Dry detention basins are not permitted fronting on primary or side streets, or located within a front yard or side street yard, except as noted below.
 - a. Stormwater structures may be located in front yards or side street yards when they are located completely underground and provide a landscaped surface at grade.

Div. 4.4. **Lighting**

4.4.1. **General Provisions**

A. Intent

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

B. Applicability

1. New Fixtures

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

2. Existing Fixtures

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

C. Prohibited Lighting Sources

The following light fixtures and sources cannot be used:

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

4.4.2. **Street Lighting on New Streets**

A. Requirements

1. On new streets constructed by a developer, developer shall furnish street lights that meet City of Akron requirements.
 - a. Street lighting shall achieve average maintained illumination on the pavement of 0.25 foot-candles.
 - b. Color temperatures shall be standard ODOT 3000K.
 - c. Distance from face of poles to face of curb shall be 24 inches min.
 - d. Distance from street lights to all other underground utilities shall be 24 inches min.
2. Street lights shall be selected from Ohio Edison standard fixtures and poles.

B. Installation

1. Street lights shall be installed by Ohio Edison
2. Developer shall provide all foundations, conduits, pull boxes, and other required components necessary for Ohio Edison to install the street lights.

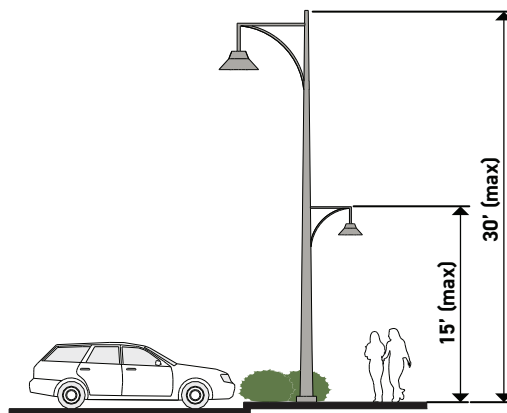
4.4.3. Outdoor Site Lighting

A. Design and Installation

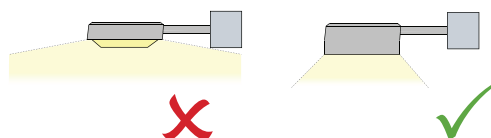
1. The maximum light level of any light fixture measured at the right-of-way line of a street cannot exceed an average of 2.5 footcandles. The uniformity ratio should be no more than 4:1.
2. Light sources must have a Color Rendering Index (CRI) value of 80 or higher.
3. Site lighting must not be oriented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

B. Parking and Pedestrian Area Lighting

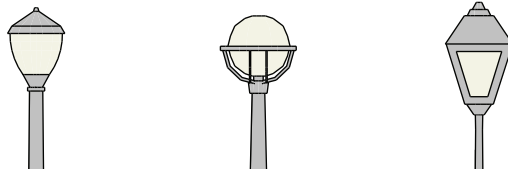
1. Light fixtures within parking lots and motor vehicle use areas can be no higher than 30 feet.
2. Light fixtures within pedestrian areas mounted on poles may be no higher than 15 feet.



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

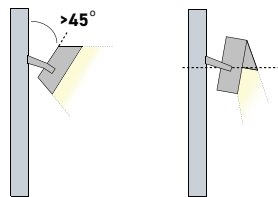


- a. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

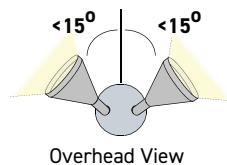


C. Flood Lights and Flood Lamps

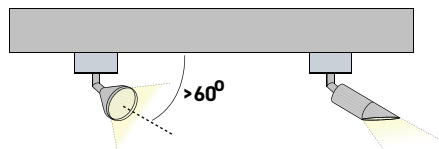
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



2. 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.



3. 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.



D. Building Lighting

1. 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.
2. All wall pack fixtures must be full cutoff fixtures.



3. 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.

Div. 4.5. **Signs**

4.5.1. **Intent**

To promote public safety and welfare by regulating signs in a manner that provides reasonable protection to the visual environment and provides equal opportunity for messages to be displayed.

4.5.2. **Applicability**

No sign may be erected, altered, refurbished or otherwise modified after the effective date of this Code except in accordance with the requirements of this Division.

4.5.3. **Prohibited Signs**

The following signs are not allowed:

- A. Any sign constructed and maintained wholly upon or over the roof of a building;
- B. Any sign mounted or painted on a vehicle parked in such a manner as to serve the purpose of an advertising device;
- C. Rotating or animated signs involving motion or sound;
- D. Flashing, blinking, or varying light intensity signs, including scrolling messages and video;
- E. Signs intended to flutter in the wind to attract attention;
- F. Any reflective or mirrored sign;
- G. Signs that contain or are an imitation of an official traffic sign or signal;
- H. Search lights;
- I. Signs mounted to a tree, traffic sign utility pole or similar structure; and
- J. Signs advertising illegal activity.

4.5.4. **General Requirements**

A. Obstructions

Signs cannot obstruct vehicular, bicycle, or pedestrian traffic and must comply with ADA clearance and accessibility.

B. Windows and Architectural Details

Signs cannot cover windows or architectural details, except for windows signs.

C. Visibility at Intersections

Where a driveway intersects a right-of-way or where property abuts the intersection of two rights-of-way, an unobstructed sight distance must be provided at all times within the sight triangle area.

D. Signs in the Right-of-Way

1. All signs must be placed on private property and require the property owner's consent. No signs are allowed to be placed in the right-of-way, except those placed by the City, County, State or federal government.
2. Awning signs, canopy signs, sidewalk signs, crown signs, projecting signs, wall signs and shingle signs may project over the public sidewalk, but not over any public street. All signs must be at least 18 inches inside the curb line or edge of pavement.

E. Permanent Signs

A permanent sign is any sign, attached or detached, which is designed or intended to be placed indefinitely. Permanent signs must meet all applicable standards within this Division.

F. Temporary Signs

1. A temporary sign is any sign, attached or detached, which is placed to advertise, announce, or pertains to a specific event or occurrence, which is not designed or intended to be placed permanently.
2. Small temporary signs with a sign area of less than 12 square feet do not require a permit and must meet the standards of *Sec. 4.5.5.G, Small Temporary Signs* in addition to any other applicable standards in this Division.
3. Large temporary signs, meaning temporary signs with a sign area of at least 12 square feet require a permit and must meet the standards of *Sec. 4.5.6.D, Large Temporary Signs* in addition to any other applicable standards in this Division.

4.5.5. Signs Not Requiring a Permit

A. General Requirements for Signs Not Requiring a Permit

Signs that do not require a permit may not be internally illuminated.

B. Public Interest Signs

Signs of public interest, erected by or on the order of a public officer in the performance of their duty, such as public notices, safety sign, danger signs, trespassing signs, traffic and street signs, memorial plaques and signs of historical interest.

C. Signs Not Visible

Any sign internal to a development that is not visible from a right-of-way or neighboring property is allowed without a permit.

D. Flags

Flags are any fabric or other flexible material designed to be flown from a permanent flagpole. Flags must meet the following standards:

1. A maximum of 3 flags are permitted per lot.
2. The flag area must not exceed 1.5 times the height of the pole. For example, a 40-foot tall flagpole yields a maximum 60 square foot flag.
3. The maximum height of a flagpole is 40 feet, measured from the highest point of the flagpole to average adjacent grade.
4. A freestanding flagpole must be set back from all lot lines a distance equal to the height of the pole. For example, a flagpole 40 feet in height must be set back at least 40 feet from a lot line.

E. Sidewalk Signs

A sidewalk sign is a movable sign wholly independent of a building for support but not permanently secured or attached to the ground. Sidewalk signs must meet the following standards.

1. The sign cannot exceed 6 square feet in area, 3 feet in height, and 2 feet in width.
2. The sign must be placed along a building facade with a customer entrance to a tenant space.
3. The sign must not be placed more than 12 feet from the building facade.
4. One sidewalk sign is permitted for each street-facing entrance, and no more than one sidewalk sign per business may be placed on the same street face.
5. The sign must be stored indoors during non-business hours.
6. The sign must not be illuminated.

F. Home-Based Business Signs

1. Home-based businesses are limited to one sign.
2. Signage types as allowed per District Permissions Table 4.5.6.B.1.
3. Signs shall be attached to the structure housing the business.
4. Area: 6 square feet maximum.
5. Signs shall be non-illuminated.

G. Small Temporary Signs

A small temporary sign is any sign with a sign area of 12 square feet or less placed to advertise, announce, or pertaining to a specific event or occurrence, which is not designed or intended to be placed permanently. Any temporary sign with a sign area larger than 12 square feet is considered a large temporary sign and must meet the standards of Sec. 4.5.6.D, Large Temporary Signs.

1. Single-Unit Living and Duplex Living

- a. Maximum total sign area of 12 square feet per lot.
- b. Maximum area of an individual sign is 6 square feet.
- c. Maximum of 2 small temporary signs are allowed per lot.

- d. Small temporary signs may be installed for a period not exceeding 60 consecutive calendar days, up to 2 times per 12 month period.
- e. No internal or external illumination of small temporary signs is allowed.

2. All Other Uses

- a. Lots are granted up to 12 square feet of small temporary sign area without a permit.
- b. The number of small temporary signs allowed on a lot is unrestricted, provided that the total sign area does not exceed the total allocated sign area.
- c. Small temporary signs may be used for a period not exceeding 60 consecutive calendar days, up to 2 times per 12-month period. Additional posting time may be allowed by the Administrator, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional signage duration for a public purpose.

4.5.6. Signs Requiring a Permit

A. Applicability

The following sign types must not be posted, displayed, substantially changed, or erected without first obtaining a sign permit.

1. Permanent Signs

- a. Awning Sign
- b. Canopy Sign
- c. Entrance Sign
- d. Monument Sign
- e. Projecting Sign
- f. Shingle Sign
- g. Wall Sign
- h. Window Sign

2. Large Temporary Signs

See Div. 4.5.6.D

B. District Permissions

- Signs are allowed by zoning district according to the following table.

	Conservation Neighborhood	Neighborhood	Neighborhood Flex	Mixed-Use	Mixed-Use Storefront	Mixed-Use Flex	Scenic Buffer Overlay	Definition & Standards
Permanent Signs								
Awning Sign	-	-	□	■	■	■	-	Sec. 4.5.6.C.1
Canopy Sign	-	-	□	■	■	■	-	Sec. 4.5.6.C.2
Entrance Sign	□	□	□	■	■	■	■	Sec. 4.5.6.C.3
Monument Sign	-	-	-	■	■	■	■	Sec. 4.5.6.C.4
Projecting Sign	□	□	□	■	■	■	-	Sec. 4.5.6.C.5
Shingle Sign	-	-	□	■	■	■	-	Sec. 4.5.6.C.6
Wall Sign	□	□	□	■	■	■	-	Sec. 4.5.6.C.7
Window Sign	□	□	■	■	■	■	-	Sec. 4.5.6.C.8

■ Sign type allowed □ Sign type allowed for nonresidential uses only - Sign type not allowed

- Alternate sign types may be allowed with approval of the Administrator.

C. Permanent Sign Types

1. Awning Sign



a. Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the material of an awning as an integrated part of the awning itself.

b. General Provisions

- I. Only awnings over ground-story doors or windows may contain signs.
- II. An awning sign may be placed on the face or the valance of the awning that are parallel to the building face, but cannot extend outside the awning.
- III. An awning sign cannot be illuminated.
- IV. Attached signs may be placed on facades facing the public right-of-way or internal private driveways. Only one building face may be determined to be along a primary frontage.

c. Number of Signs

Maximum of 1 awning sign is allowed per awning.

d. Total Sign Area Allocation*

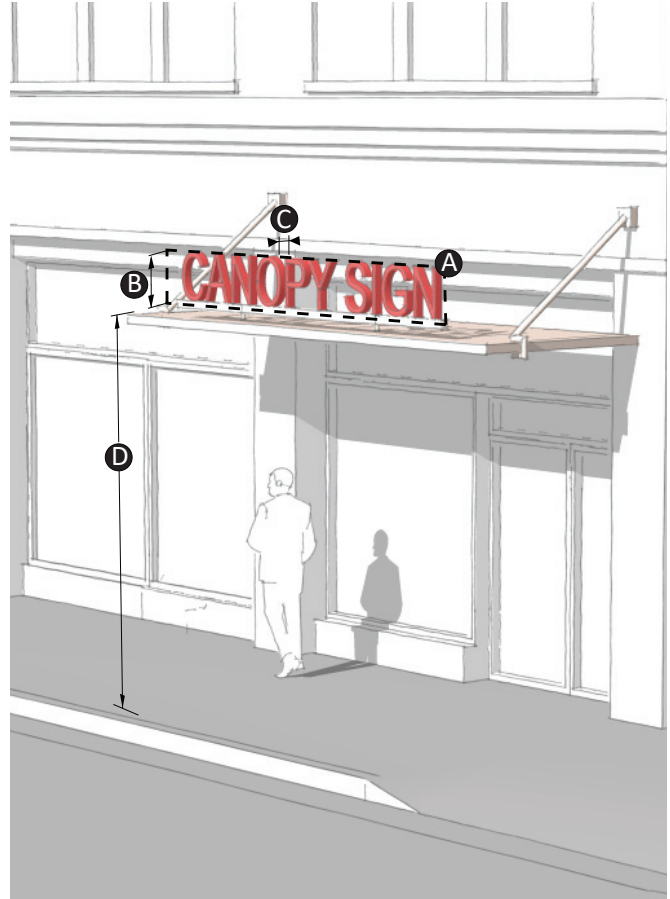
Primary building frontage (max)	1.5 SF per linear foot of frontage, or 32 SF (whichever is greater)
Side or rear building frontage (max)	1 SF per linear foot of frontage, or 16 SF (whichever is greater)

e. Dimensions

A Area of signs per awning (max)	12 SF
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**Total Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.*

2. Canopy Sign



a. Description

A sign attached to a canopy with a display surface parallel to the plane of the building facade.

b. General Provisions

- I. A canopy sign may extend above or below the canopy; however, it must not extend outside the overall length or width of the canopy.
- II. Only a canopy over ground-story doors or windows may contain a canopy sign.
- III. A canopy sign may be externally and internally illuminated in accordance with *Div. 4.4*.
- IV. Attached canopy signs may be placed on facades facing the public right-of-way or internal private driveways.
- V. Only one building face may be determined to be along a primary frontage.

c. Number of Signs

Maximum of 1 canopy sign is allowed per canopy.

d. Total Sign Area Allocation*

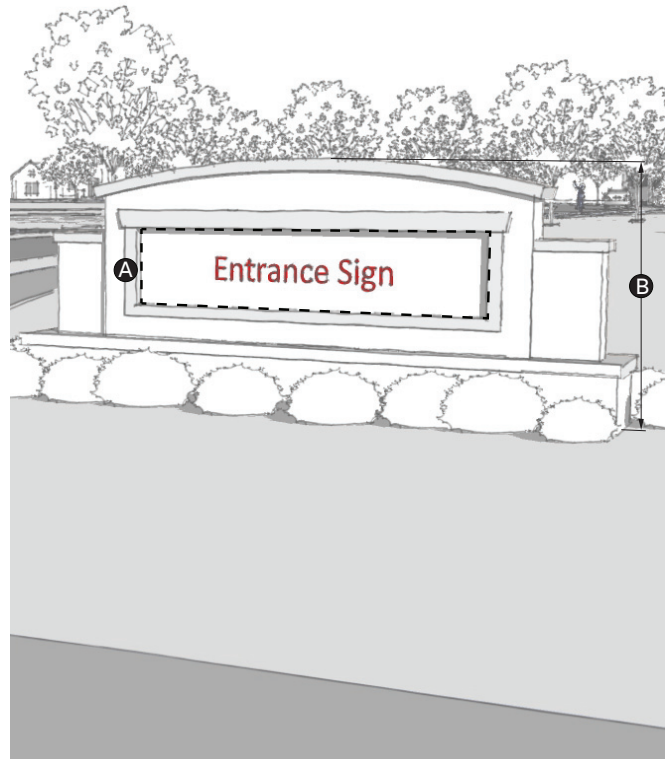
Primary building frontage (max)	1.5 SF per linear foot of frontage, or 32 SF (whichever is greater)
Side or rear building frontage (max)	1 SF per linear foot of frontage, or 16 SF (whichever is greater)

e. Dimensions

A	Area of individual sign (max)	32 SF
B	Height (max)	3'
C	Depth (max)	8"
D	Clear height above sidewalk (min)	9'
	Clear height above parking area or driveway (min)	14'

*Total Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.

3. Entrance Sign



a. Description

A sign which is wholly independent of a building for support and attached to the ground along its entire length that is placed near a driveway or pedestrian accessway into a development from a public right-of-way.

b. General Provisions

- I. An entrance sign must be placed within 20 ft of a driveway or pedestrian entrance.
- II. An entrance sign must be set back at least 10 feet from a front lot line and 10 feet from a common lot line.
- III. An entrance sign may be externally illuminated in accordance with *Div. 4.4.*

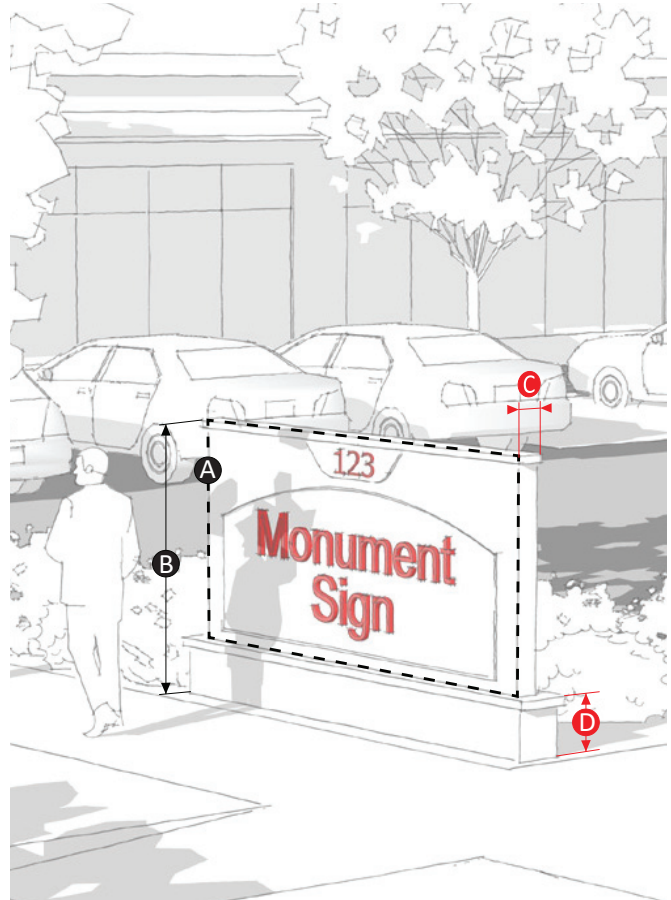
c. Number of Signs

Maximum of 1 entrance sign allowed for each subdivision or development entrance.

d. Dimensions

A	Area of individual sign (max)	32 SF
B	Height (max)	8'

4. Monument Signs



a. Description

A sign which is wholly independent of a building for support and attached to the ground along its entire length.

b. General Provisions

- I. A monument sign must be set back at least 5 feet from a frontage lot line and 10 feet from a common lot line.
- II. Where more than one monument sign is allowed, signs along the same street lot line must be spaced a minimum of 500 feet apart
- III. A monument sign may be externally or internally illuminated in accordance with *Div. 4.4.*
- IV. Each lot with multiple business establishments is permitted to utilize each monument sign permitted as a joint identification sign, and may increase the total sign area by 10 square feet for each primary message added to the sign, provided the sign area does not exceed 100 square feet.

c. Number of Signs

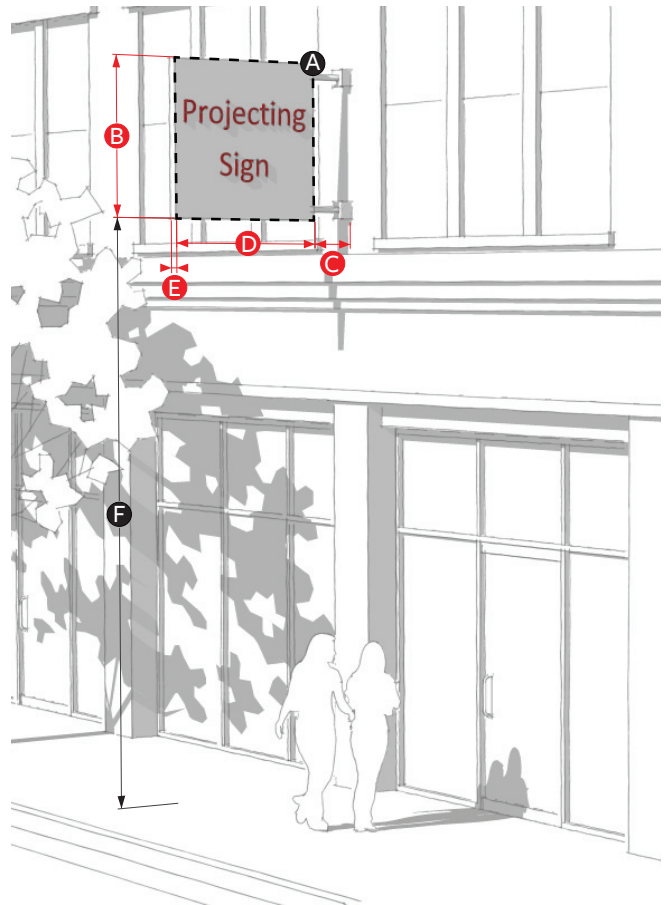
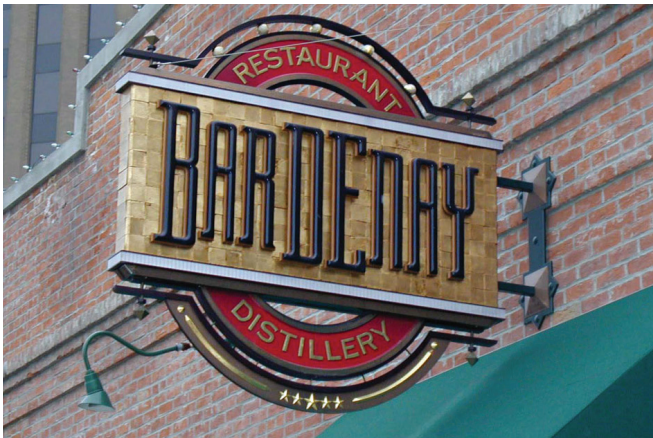
Number of signs allowed (max)

Site width up to 500 feet	1
Site width 501 - 1,000 feet	2
Site width more than 1,000 feet	3

d. Dimensions

A Area of individual sign (max)	
Lot < 1 acre	25 SF
Lot 1 acre or greater	50 SF
B Height (max)	
Lot < 1 acre	6'
Lot 1 acre or greater	8'
C Depth (max)	
	2'
D Sign base height (min/max)	
	1' / 3'

5. Projecting Sign



a. Description

A sign attached to the building facade at a 90-degree angle, extending more than 1 foot from the outside wall of the building or structure.

b. General Provisions

- I. A projecting sign must be at least 15 feet from any other shingle sign or projecting sign.
- II. A projecting sign may be erected on a building corner.
- III. A projecting sign must be placed no higher than 24 feet above the sidewalk, measured from the highest point of the sign to the top of the sidewalk below.
- IV. The top of a projecting sign must be no higher than the top of the building. However, on one story buildings, the top of a projecting sign may have a maximum of 2 feet of the sign height above the top of the building.
- V. A projecting sign may be externally or internally illuminated in accordance with *Div. 4.4.*

c. Number of Signs

Maximum of 1 projecting sign allowed per lot.

d. Total Sign Area Allocation*

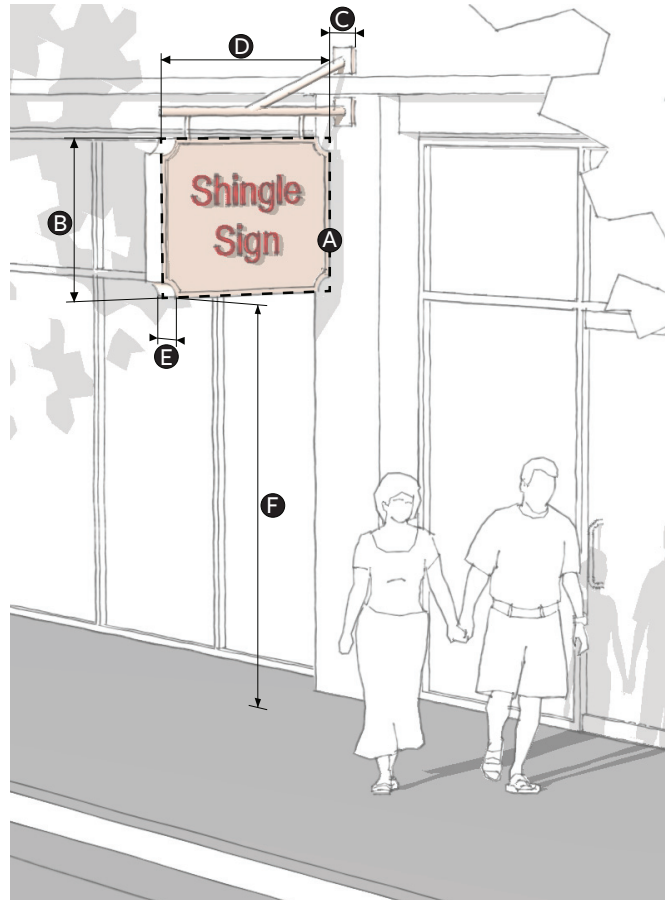
Primary building frontage (max)	1.5 SF per linear foot of frontage, or 32 SF (whichever is greater)
Side or rear building frontage (max)	1 SF per linear foot of frontage, or 16 SF (whichever is greater)

e. Dimensions

A Area of individual sign (max)	50 SF
B Height (max)	12'
C Spacing from building facade (min/max)	1 1/2'
D Projection width (max)	6'
E Depth (max)	1'
F Clear height above sidewalk (min)	9'
Clear height above parking area or driveway (min)	14'

*Total Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.

6. Shingle Sign



a. Description

A sign attached to the building facade at a 90-degree angle that hangs from a bracket or support extending more than 1 foot from the outside wall of the building or structure.

b. General Provisions

- I. The hanging bracket must be an integral part of the sign design.
- II. A shingle sign must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a single-story building.
- III. A shingle sign must be located within 5 feet of a ground story tenant entrance.
- IV. A shingle sign must be located at least 15 feet from any other shingle sign or projecting sign.
- V. A shingle sign cannot be illuminated.

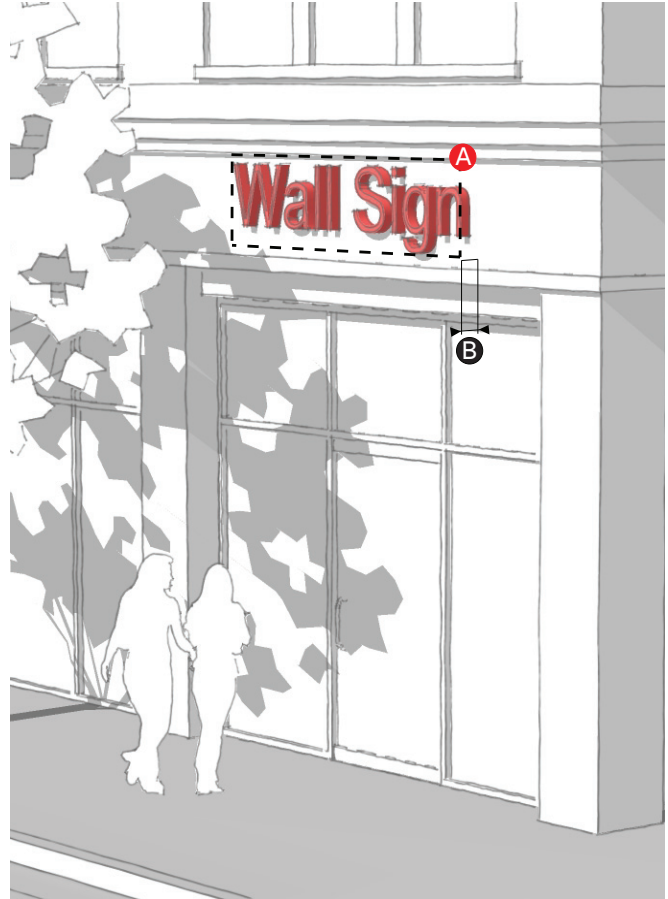
c. Number of Signs

Maximum of 1 sign per building entrance

d. Dimensions

A	Area of individual sign (max)	10 SF
B	Height (max)	3'
C	Spacing from building facade (min/max)	6"/1'
D	Projection width (max)	3'
E	Depth (max)	6"
F	Clear height above sidewalk (min)	9'
	Clear height above parking area or driveway (min)	14'

7. Wall Sign



a. Description

A sign attached to the wall or surface of a building or structure, the display surface of which does not project more than 1 foot from the outside wall of the building or structure.

b. General Provisions

- I. A wall sign must be placed no higher than 24 feet above the sidewalk, measured from the highest point of the sign to the top of the sidewalk below.
- II. No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
- III. A wall sign may be externally or internally illuminated in accordance with *Div. 4.4*.

c. Total Sign Area Allocation*

Primary building frontage (max)	1.5 SF per linear foot of frontage, or 32 SF (whichever is greater)
Side or rear building frontage (max)	1 SF per linear foot of frontage, or 16 SF (whichever is greater)

d. Dimensions

A Area of individual sign (max)	180 SF
B Projection width (max)	1'

**Total Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.*

8. Window Sign



a. Description

A sign that is permanently attached to, affixed to, leaning against, or otherwise placed in contact with the surface of a window or door in a manner so that the sign is visible from outside the building.

b. General Provisions

- I. Window signs, including all temporary and permanent window signs, may cover no more than 40% of any window panel.
- II. Window signs may only be placed within first floor window panels.

c. Total Sign Area Allocation*

Primary building frontage (max)	1.5 SF per linear foot of frontage, or 32 SF (whichever is greater)
Side or rear building frontage (max)	1 SF per linear foot of frontage, or 16 SF (whichever is greater)

**Total Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.*

D. Large Temporary Signs

1. A large temporary sign is any sign with an area of over 12 square feet, placed to advertise, announce, or pertaining to a specific event or occurrence, which is not designed or intended to be placed permanently.
2. Large temporary signs must meet the placement and area requirements for a wall, window, entrance or monument sign. No other temporary sign types are permitted.
3. Large temporary signs are allocated a maximum area equal to that of the associated permanent sign type.
4. Large temporary signs may be used for a period not exceeding 60 consecutive calendar days, once per 12-month period. Additional posting time may be allowed by the Administrator, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional duration to serve a public purpose.

E. Sign Measurement

1. Sign Area

- a. For wall signs, awning signs, and canopy signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses the letters or images as shown below. Images, logos or text greater than 12 inches apart are calculated as separate signs for the purposes of calculating individual sign area.

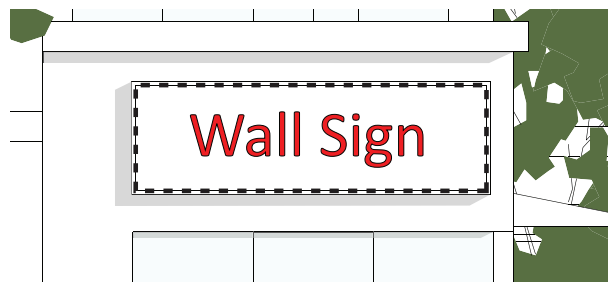
One Sign



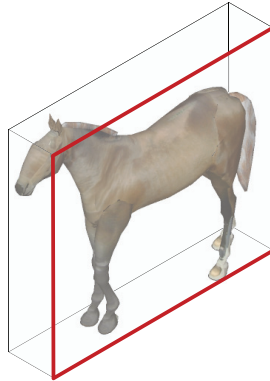
Two Signs



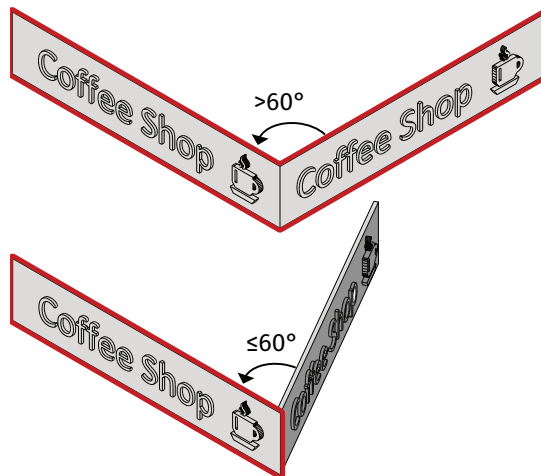
- b. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure on which it is mounted. Includes the face of the structure that the message is affixed to, not including any supports, bracing or street number.



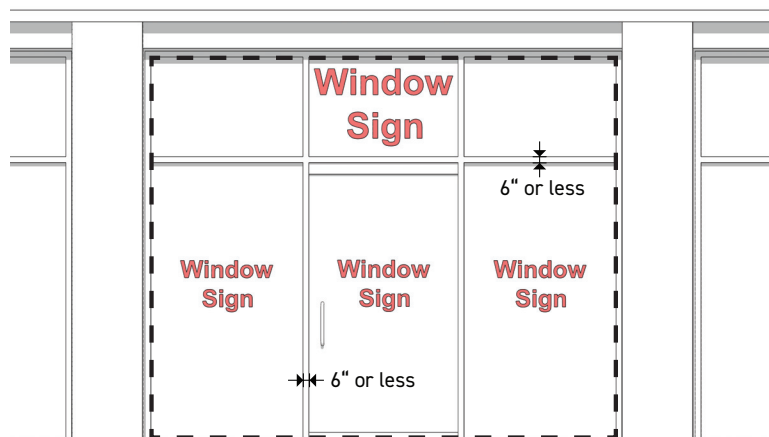
- c. The sign area of a three-dimensional sign is calculated as total area of the smallest rectangle, circle or square that fully encloses the largest profile of the three-dimensional sign.



- d. The area for a sign with more than one face is computed by adding together the area of all sign faces greater than 60 degrees; if the sign face angle is less than 60 degrees, only the area of the largest sign face is computed as part of the sign area.



- e. For window signs, sign area is the area of continuous glass (or other transparent material) panels separated by not more than 6 inches.



2. Sign Height

The height of an entrance sign or monument sign is measured from the highest point of the sign or supporting structure to the top of the nearest sidewalk or crown of the road when no sidewalk exists.



F. Illumination

1. Prohibited Light Sources

The following light sources are not allowed:

- blinking, flashing and chasing;
- bare bulb illumination;
- colored lights used in any manner so as to be confused with or construed as traffic control devices; and
- direct reflected light that create a hazard to operators of motor vehicles.

2. Brightness

The light from any illuminated sign must not be of an intensity or brightness that will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties.

3. Internal Illumination

- Channel letters may be internally lit or back-lit.



Internally lit channel letters



Back-lit channel letters

- b. For internally lit signs on a background, the background must be opaque and a contrasting color.



Internally lit with contrasting background

- c. Neon window signs stating “Open” are allowed in storefront windows.
- d. Light emitting diodes (LED)’s are allowed as a light source in a manner that the LED is behind acrylic, aluminum or similar sign face and returns in such a manner that the LED modules are not visible from the exterior of the sign.

4. External Illumination

- a. Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto any right-of-way or adjacent properties.
- b. Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.



External light sources

5. Raceways and Transformers

- a. If a raceway is necessary, it must not extend in width or height beyond the area of the sign.
- b. A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.
- c. Visible transformers are not allowed.

G. Maintenance

1. The Administrator may re-inspect each sign periodically following installation to determine continued compliance and to insure proper operating conditions and maintenance in accordance with this Code. The sign owner is solely responsible for maintaining the appearance, safety and structural integrity of the sign at all times.
2. If the Administrator finds a sign in need of repair, support, replacement, cleaning, repainting, or any maintenance service necessary to maintain reasonable and proper appearance and public safety, the Administrator will issue an order to the owner to make the needed repairs or maintenance. If the Administrator determines that the existing condition of the sign creates an immediate hazard to the health or safety of the public, or determines the sign is in a state of disrepair, the Administrator will issue an order to the owner requiring the sign to be removed immediately.
3. Failure of an owner to comply with the provisions listed above is cause for the Administrator to issue an order for the sign to be removed. The cost of removal is the responsibility of the property owner. If the property owner refuses to remove the sign, the City will have the sign removed, and the cost of the removal will be assessed in the form of a lien against the owner of the property.

H. Sign Removal

1. Illegal Signs

All illegal signs must be removed in accordance with this section. The Administrator will issue an order for the sign to be removed. If any illegal sign has not been removed after 30 calendar days following the issuance of an order, the City will have the sign removed, and the cost of the removal will be assessed in the form of a lien against the owner of the property.

I. Abandoned or Obsolete Signs

1. All abandoned or obsolete signs and their supporting structures must be removed in accordance with this section.
2. A sign is considered abandoned or obsolete when it meets one of the following circumstances, or a similar circumstance:
 - a. The sign has been improperly maintained;
 - b. The sign has been damaged and not fixed within a reasonable time frame;
 - c. The sign's structure has been left without a sign face;
 - d. The entity responsible for the maintenance of the sign has been dissolved;
 - e. The commercial entity associated with the sign has been permanently closed for more than 60 calendar days; or
 - f. Utilities to the associated facility have been shut off indicating abandonment.

3. Upon determination that the sign is abandoned or obsolete, the right to maintain and use the sign will terminate immediately and the Administrator will issue an order for the sign to be removed within 30 calendar days by the property owner. If any abandoned or obsolete sign has not been removed after 30 calendar days following the issuance of an order, the City will have the sign removed, and the cost of the removal will be assessed in the form of a lien against the owner of the property.

J. Administrative Relief

1. A sign dimensional standard may be modified by up to 15% in accordance with *Div. 5.2*.

Div. 4.6. **Building Standards**

4.6.1. **Exterior Building Materials**

A. Intent

To ensure the quality and durability of buildings so that they may contribute to the overall character of the neighborhood.

B. Applicability

All exterior building facades facing a street.

C. Mixed-Use and Mixed-Use Shopfront Districts

1. The following materials are prohibited on primary and side street building facades:
 - a. Plain or split-face concrete masonry units (CMU). Glazed or polished-face CMU are permitted.
 - b. Exterior insulation and finish system (EIFS), sythetic stucco.
 - c. Unpainted plywood

CHAPTER 5. **ADMINISTRATION**

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Div. 5.1. Approval Process

5.1.1. Summary of Review Authority

A. For review process authority, see the following table:

Review Process	Zoning Staff	Planning Commission	City Council
Site plan	R	-	-
Subdivision	R	D	-
Conditional Use Permit	R	R	D

R = Recommendation D = Decision

5.1.2. Administrator

A. The Administrator of this Code is the City of Akron Planning Director, or their designee. The Administrator is responsible for the day to day administration of this Code.

Div. 5.2. Administrative Relief

5.2.1. Limited Adjustment of Standards

- A. During the review process, the Administrator is authorized to approve limited adjustments to certain provisions of this Code.
- B. This optional process may occur only when the applicant requests an adjustment to a standard specifically authorized in *Div. 2.10, Rules of Interpretation* or *Chapter 4, Development Standards*.
- C. When reviewing a request for an adjustment, the Administrator must take into account whether the modification meets the intention of the standard under consideration.
- D. When approving a request for an adjustment, the Administrator cannot modify a standard beyond the percentage specified in the applicable section.

Div. 5.3. **Relief**

5.3.1. **Significant Adjustment of Standards**

- A. If an applicant requests an adjustment to a standard that exceeds the allowed administrative relief specified in this Code, they may apply for Relief via a Variance per Article 11 of the City of Akron Zoning Code or a Conditional Use Permit per Article 14 of the City of Akron Zoning Code, as appropriate.