

**AGENDA
EUCLID CITY COUNCIL MEETING
MONDAY, SEPTEMBER 16, 2024 AT 7:00 PM
EUCLID MUNICIPAL CENTER COUNCIL CHAMBER**

PERMISSIBLE PRELIMINARIES:

FIRST GAVEL

PLEDGE OF ALLEGIANCE

EUCLID CITY COUNCIL MEETING BUSINESS:

SECOND GAVEL

ROLL CALL OF MEMBERS

COMMUNICATIONS:

- No Communications

COUNCIL MINUTES:

- September 3, 2024

ADMINISTRATION REPORTS & COMMUNICATIONS:

COMMITTEE DOCUMENTATION:

- Business Development, City Planning & Housing Committee Summary – 8-21-2024
- Board of Control – August 26, 2024 & September 3, 2024

COMMITTEE OF THE WHOLE FOR LEGISLATIVE MATTERS ONLY

| ACTION | LEGISLATION | PROPOSED |
|---|--|------------------|
| Third Reading | <p>1. An ordinance amending Chapter 1763 “Vacant Property Registration; Foreclosures” of the Building and Housing Code of the Codified Ordinances of the City of Euclid to include commercial and industrial properties in the vacant property registration requirements. (Sponsored by Mayor Holzheimer Gail, Council President Mancuso and Councilpersons Hannum and Steele) (Referred to the Business Development, City Planning and Housing Committee) (Sent back to Council by the Buisness Development, City Planning and Housing Committee with no recommendation)</p> <p>Comment: This would amend the “Vacant Property Registration; Foreclosure” Ordinance to expand the registration requirements to vacant commercial and industrial properties and require the designation of an Agent in Charge who is located in Cuyahoga County if the owner is not in Cuyahoga County.</p> | Ord. (072-24) |
| Second Reading | <p>2. An ordinance amending, enacting, and repealing various chapters of Part Thirteen of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid. (Sponsored by Planning and Zoning)</p> <p>Comment: This would amend, enact and repeal chapters of the Zoning Code to assist with the development of parcels based on current best practices.</p> | Ord. (101-24) |
| First Reading Public Hearing 10/21/2024 | <p>3. A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to 1510 East 191ST, LLC, applicant, to operate an indoor mini/self-storage facility in a U4-Local Retail or Wholesale Store District, Permanent Parcel Number 646-20-003, 1520 East 191 Street, Euclid, Ohio 44117. (Sponsored by Planning and Zoning)</p> | Res. (115-24) |

Comment: This would allow a Use District Exception for the operation of an indoor mini/self-storage facility in a U4-Local Retail or Wholesale Store District.

4. A resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission. (Sponsored by Mayor Holzheimer Gail and All Members of Council) Res. (106-24)

Comment: This would authorize the rates that are to be levied on real property parcels for inside and outside the ten-mill limitations.

5. An emergency ordinance amending Ordinance #18-2024 which makes the annual appropriation for all expenditures for the City of Euclid for the period ending December 31, 2024. (Sponsored by Council President Mancuso per request of the Director of Finance) Ord. (107-24)

Comment: This would amend the 2024 budget appropriation.

6. An ordinance authorizing the Director of Planning and Development to advertise for bids and enter into a contract for labor and materials necessary for the construction of the Top of the Tank Improvements, Phase I Project. (Sponsored by Mayor Holzheimer Gail and Councilperson Hannum) Ord. (108-24)

Comment: This would allow the City to enter into a contract, after accepting bids, for improvements at Top of the Tank.

7. A resolution authorizing the Mayor of the City of Euclid, or her designee, to apply, accept and expend Cuyahoga County Supplemental Grant (CDSG) Program funds in an amount up to Fifty Thousand Dollars and 00/100 Dollars (\$50,000.00) for the purpose of constructing improvements at the E. 215th Street Trail (the "Project") in the City of Euclid. (Sponsored by Mayor Holzheimer Gail and Councilperson Tolton) Res. (109-24)

Comment: This would allow the City to apply, accept and expend funds from the Cuyahoga County Supplemental Grant Program.

8. An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an agreement with GPD Group, 520 South Main Street, Suite 2531, Akron, Ohio 44311, for the purpose of performing construction administration and resident inspection services for the E 220th/221st Street Reconstruction Project. (Sponsored by Councilpersons Wojtila and Hannum by request of the Director of Public Service) Ord. (110-24)

Comment: This would authorize the City to enter into an agreement for construction maintenance and inspection services for a street reconstruction project.

9. An ordinance authorizing the Director of Public Service to enter into an agreement with SW&E, LLC DBA Sherman's Welding and Equipment 2370 Walter Main Road, Geneva, Ohio 44041 for the purchase of one (1) snow package upfit on a 2024 Peterbilt Model 548 chassis, in an amount not to exceed One Hundred Forty-Two Thousand Six Hundred Sixteen and Forty-Three Cents (\$142,616.43), for use by the Euclid Service Department. (Sponsored by Councilperson Wojtila by request of the Director of Public Service) Ord. (111-24)

Comment: This would allow the City to sign a contract to have a new truck chassis outfitted with snow removal equipment and other accessories.

10. An ordinance authorizing the Mayor of the City of Euclid, or her designee, to enter into a five-year (5) contract, commencing January 1, 2025, for the collection and disposal of solid waste materials and weekly recycling pick-up for the City of Euclid with Kimble Recycling and Waste Disposal, Inc., 3596 State Route 39 NW, Dover, Ohio 44622. (Sponsored by Councilperson Wojtila by request of the Director of Public Service) Ord. (112-24)

Comment: This would authorize the City to sign a five-year contract for solid waste disposal and recycling pick-up.

11. An ordinance authorizing the Mayor of the City of Euclid, or her designee, to enter into a contract, with Business Network Team, 12316 York Road, North Royalton, Ohio 44133, for the installation and maintenance of thirty (30) Verkada blue light safety cameras, in an amount not to exceed Six Hundred Seventy Thousand Five Hundred Twelve Dollars (\$670,512.00). (Sponsored by Mayor Holzheimer Gail and All Members of Council) Ord. (113-24)

Comment: This would authorize the City to sign a contract for the installation and maintenance of blue light security cameras.

12. A resolution of support for the replacement of the Cuyahoga County Cigarette Tax for arts and culture. (Sponsored by Council President Mancuso) Res. (114-24)

Comment: This would set forth City Council's support of the renewal of the Cuyahoga County Cigarette Tax for arts and culture.

**COMMITTEE OF THE WHOLE – PUBLIC PORTION
COUNCIL MEMBERS' COMMENT
ADJOURNMENT**

Ordinance No.

By – Mayor Holzheimer Gail, Council President Mancuso, and Councilpersons Hannum and Steele

An ordinance amending Chapter 1763 “Vacant Property Registration; Foreclosures” of the Building and Housing Code of the Codified Ordinances of the City of Euclid to include commercial and industrial properties in the vacant property registration requirements.

WHEREAS, the City of Euclid’s original vacant property registration ordinance was proposed and adopted in 2011, following the study and recommendation of the Foreclosure Prevention Committee in response to the 2007-2009 Great Recession and foreclosure crisis; and

WHEREAS, after conducting two property surveys, one in 2023 by the Economic Development Division of the Planning and Development Department, a second in 2024 by the Community Development Division of the Planning and Development Department and the Building and Housing Division, it was found that there remain a significant number of vacant residential, commercial, and industrial properties in the City of Euclid; and

WHEREAS, by updating its vacant property registration ordinance, the City of Euclid aims to reduce the negative externalities imposed on surrounding properties by vacant properties and to increase the vitality and vibrancy of its residential, commercial, and industrial areas through the rehabilitation of vacant buildings and properties.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That Chapter 1763, “Vacant Property Registration; Foreclosures” of the Building and Housing Code of the Codified Ordinances of the City of Euclid be and the same is hereby amended to read as follows:

1763.01 PURPOSE.

The purpose of this chapter is to establish a program for identifying and registering vacant residential, commercial, and industrial buildings; to determine the responsibilities of owners of vacant buildings and structures; and, to hasten the rehabilitation and occupancy of the vacant buildings. Shifting the burden and costs from the general citizenry to the owners of the vacant buildings will be the result of this chapter.

1763.03 DEFINITIONS.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meanings indicated in this section.

(a) “Secured by other than normal means.” A building secured by means other than those used in the design of the building.

(b) “Unoccupied.” A building or portion of a building which is not being used for the occupancy authorized by the owner.

(c) “Unsecured.” A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

(d) “Vacant building.” A building (excluding government owned buildings) which is:

- (1) Unoccupied and unsecured; or
- (2) Unoccupied and secured by other than normal means; or
- (3) Unoccupied and an unsafe building as determined by the Division of Building and Housing Housing Department; or
- (4) Unoccupied and having utilities disconnected; or
- (5) Unoccupied and has housing or building code violations; or
- (6) Illegally occupied which shall include loitering and vagrancy; or

(7) Unoccupied for a period of time over 90 days and having an existing code violation issued by a Code Official; or

(8) Unoccupied with a mortgage status of abandonment (i.e., deceased or foreclosed); or

(9) Unoccupied and abandoned by the property owner.

(e) "Evidence of vacancy." Any condition that, on its own or combined with other conditions, present would lead a reasonable person to believe the property is vacant. Such conditions include, but are not limited to: utilities shut off or significantly below standard utility usage, overgrown and/or dead vegetation, accumulation of newspapers, circulars, flyers and/or mail, accumulation of trash, junk, and/or debris, broken or boarded-up windows, abandoned vehicles, auto parts or materials, the absence of window coverings, such as curtains, blinds, and/or shutters, the absence of furnishings and/or personal items consistent with habitation or occupation, statement(s) by governmental employee(s) that the property is vacant.

(f) "Owner." Any and every person, entity, bank, or service company, who alone or severally with others:

(1) Has legal or equitable title to any dwelling, dwelling unit, building, structure, or parcel of land; or

(2) Has care, charge or control of any dwelling, dwelling unit, building, structure, or parcel of land, in any capacity, including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or

(3) Is a mortgagee in possession of any such property; or

(4) Is an agent, trustee, receiver, or other person appointed by the courts and vested with possession or control of any such property.

(g) "Agent in charge." means a resident of Cuyahoga County, Ohio, who has been designated by the owner of a property located in the City of Euclid, to be the local agent in charge, sometimes abbreviated "AIC", to oversee the maintenance and financial obligations of the property, when the owner of the property does not reside in Cuyahoga County, Ohio. The agent in charge must be a resident of Cuyahoga County and register with the City for the property.

1763.05 VACANT PROPERTY REGISTRATION.

(a) The owner shall register with the Division of Building and Housing Housing Department not later than ninety (90) days after any residential property any building located in an area zoned for, or abutting an area zoned for residential, commercial, or industrial use in the City becomes a vacant building, or not later than thirty (30) days of being notified by the Division of Building and Housing Housing Department of the requirement to register based on evidence of vacancy, whichever event first occurs.

(b) The registration shall be submitted on forms provided by the Division of Building and Housing Housing Department, with the associated fee outlined in Section 1763.06 of two hundred dollars (\$200.00), and shall include the following information supplied by the owner:

(1) The name(s) and address(es) of the owner or owners, whether personal or corporate;

(2) If the owner/corporation does not reside in or have a principal place of business in Ohio, the owner/corporation or servicer shall provide a name, address, phone number, emergency contact information, and email of an manager/agent in charge, as defined in Section 1763.03(g). of the building who does reside in or have a principal place of business in Ohio. By designating an authorized manager/agent in charge under the provisions of this section, the owner is consenting that the authorized manager/agent in charge is authorized to receive any and all notices relating to the property and to bring the property into conformance with of any and all ordinances;

(3) The names and addresses of all known lien holders and all other parties with an ownership interest in the building;

(4) A vacant building plan as described in division (c) of this section.

(c) The owner/agent in charge shall submit a vacant building plan which must meet the approval of the Code Official. The plan, at a minimum, must contain information from one of the following three choices:

(1) If the building is to be demolished, a demolition plan indicating the proposed timeline for demolition, which includes starting within thirty (30) days of acceptance of the proposed demolition plan and does not exceed one year, in accordance with the Ohio Building Code; or

(2) If the building is to remain vacant, a plan for ensuring the building is secured along with the plan or procedure that will be implemented to maintain the property, and a statement of the reasons why the building will be left vacant (e.g., building is for sale, etc.); or

(3) If the building is to be returned to appropriate occupancy or use, a rehabilitation plan for the building and grounds, The rehabilitation plan timeline shall not exceed twelve (12) months from the time the owner/agent in charge obtains permits, unless the Code Official grants an extension upon receipt of a written statement from the owner/agent in charge detailing the reasons for the extension. Any repairs, improvements or alterations to the property must comply with any applicable zoning, housing, historic preservation, or building codes and the property must be secured during the rehabilitation,

(d) All applicable laws and codes shall be complied with by the owner/agent in charge. The owner/agent in charge shall notify the Code Official of any changes in information of their vacant building registration within thirty (30) days of the change. If the plan or timetable for the vacant building is revised in any way, the revision(s) must be in writing and must meet the approval of the Code Official.

(e) The owner/agent in charge and subsequent owners/agents in charge shall keep the building secured and safe and the building and grounds properly maintained in accordance with all applicable City Building and Housing Codes.

(f) A new owner(s)/agent(s) in charge shall register or re-register the vacant building with the Division of Building and Housing Housing Department within thirty (30) days of any transfer of an ownership interest in the vacant building if the building continues to remain vacant after transfer. The new owner(s)/agent(s) in charge shall comply with the approved plan and timetable submitted by the previous owner/agent in charge until any proposed changes are submitted and meet the approval of the Code Official.

(g) The failure of the owner/agent in charge of the vacant building to obtain a deed for the property or to file the deed with the County Recorder shall not excuse the property owner/agent in charge from registering the property.

(h) Failure of the owner/agent in charge or any subsequent owners/agents in charge to maintain the building and premises that result in remedial action taken by the City shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by the law.

(i) The Code Official or his/her designee shall include in the file any property specific written statements from community organizations, other interested parties, or citizens regarding the history, problems, status, or blighting influence of a vacant building.

(j) The registration and all associated processes must be completed annually for as long as the property remains vacant.

1763.06 REGISTRATION FEES.

The fees shall be reasonably related to the administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the City in inspecting and monitoring the vacant building site. The annually increased fee amounts shall be reasonably related to the costs incurred by the City for demolition and hazard abatement of or repairs to vacant buildings, as well as the continued normal administrative costs stated above.

(a) The owner of a vacant residential building shall pay an annual fee of two hundred dollars (\$200.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant, the annual fee will be assessed at double the previous year's fee amount for all subsequent years of vacancy.

(b) The owner of a vacant commercial building or industrial building shall pay an annual fee of four hundred dollars (\$400.00) for the first year the building remains vacant. For every consecutive year that the building remains vacant the annual fee will be assessed at double the previous year's fee amount for all subsequent years of vacancy.

(c) The first annual fee shall be paid at the time the building is registered. If the fee is not paid, the owner shall be subject to prosecution as prescribed in Section 1753.99 of the Building and Housing Code.

(d) The fee shall be paid in full prior to the issuance of any building permits unless the property is granted an exemption. The fee shall be prorated and a refund may be issued if the building is no longer deemed vacant under the provisions of this chapter within one hundred eighty (180) days of its registry, less a one hundred dollar (\$100.00) administrative fee and any late fees paid. Registration fees paid in previous years shall not be refunded.

(e) All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A lien may be placed on the property to collect delinquent fees.

(f) Late fees shall be paid in addition to the annual registration and will be equal to the annual fee or one thousand dollars (\$1,000) whichever is less.

1763.07 INSPECTIONS.

The Division of Building and Housing Housing Department shall inspect any premises in the City for the purpose of enforcing and assuring compliance with the provisions of this chapter. The Code Official or his/her designee, may request that an owner/agent in charge provide access to all interior portions of an unoccupied building in order to perform an inspection. Nothing contained herein, however, shall diminish the owner's right to refuse consent for an interior inspection. If deemed necessary, the Code Official or his/her designee will be required to obtain the procurement of a search warrant from a court of competent jurisdiction in order to enable such inspection. The following shall apply:

(a) Vacant properties may be externally inspected by the Code Official a minimum of twice per year to ensure the compliance with property maintenance codes;

(b) A Notice of Violation will be completed for each inspection indicating any property maintenance code violations;

(c) Unless otherwise determined, by the discretion of the Code Official an property owner/agent in charge will have ninety (90) days to correct the code violations. Failure to correct the violations by the compliance date may result in prosecution.

1763.09 EXEMPTIONS.

Any owner/agent in charge of a vacant building may request an exemption from the fee imposed in Section 1763.05(b), by filing a written application with the Division of Building and Housing Housing Department who shall timely consider same. Bases for exemptions include, but are not limited to:

(a) A building under active construction/renovation and having a valid building permit(s) at the time of initial inspection shall be exempt from registration until the expiration of the longest running, currently active building permit.

(b) A building which has suffered fire damage or storm damage caused by incidents of extreme weather conditions shall be exempt from the registration requirement for a period of ninety (90) days after the date of the fire or extreme weather event if the property owner submits a request for exemption in writing to the Division of Building and Housing Housing Department. This request shall include the names and addresses of the owner(s)/agent in charge or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

(c) A building that is for sale and listed with a licensed State of Ohio realtor, or by owner, shall be exempt for a period of twelve (12) months from the start of vacancy, provided that the owner submits proof to the Division of Building and Housing Housing Department of such listing, for sale status and has a current Point of Sale Inspection with the Housing Department Division of Building and Housing.

(d) A building whose owner is deceased and the administration of the estate is pending within a County probate court shall be exempt during the pendency of the probate matter.

(e) Any two-family or three-family dwelling where the owner resides in one dwelling unit and the other dwelling unit(s) remains vacant.

(f) Any other basis for an exemption may be submitted to the Division of Building and Housing Housing Department for consideration.

1763.11 APPEALS.

(a) Any owner/agent in charge who is served a notice of vacant property registration may, within fourteen (14) calendar days of receipt of such notice, apply for an exemption as set forth in Section 1763.09 herein.

(b) Any person adversely affected by a decision of any City official made in the enforcement of this chapter or any ordinance for which the Planning and Zoning Commission is designated to hear appeals, shall have the right to appeal to the Planning and Zoning Commission from such decision. Such appeal must be filed in writing and upon forms provided by the Commission. The time and place of the appeal hearing shall be fixed by the Commission. The Commission shall have the power to approve, amend, modify or reverse any decision of such City official. The decision of the Commission shall be final.

The provisions of Chapter 1301 of the Planning and Zoning Code, establishing the Planning and Zoning Commission, shall also be applicable, to the extent that such provisions are not in conflict with the provisions of this section.

1763.14 NOTICE TO CITY OF FORECLOSURE FILING; FEES.

(a) Any person who files a complaint for foreclosure involving real property located within the City on which there is a building or structure shall notify the City of the filing of the foreclosure complaint and shall file a complete copy of the foreclosure complaint with the Code Official within ten (10) days after the filing of that complaint with the relevant court. The notice to the City shall be on a form prescribed by the Code Official.

(b) The fee for notice of a foreclosed property is sixty dollars (\$60.00). The fee shall be paid at the time of notification.

1763.15 PERSON RESPONSIBLE FOR MAINTENANCE OF VACANT PROPERTY.

(a) If the building or structure on the property that is the subject of foreclosure is vacant at the time the foreclosure complaint is filed, then the person filing the foreclosure complaint shall provide, at minimum, a name, address, phone number, emergency contact information, and email of an agent in charge, as defined in Section 1763.03(g). ~~notify the City of the name, address, and contact information for the person who will be responsible for maintaining the property.~~

(b) If the building or structure on the property that is the subject of foreclosure becomes vacant at any time after the foreclosure complaint is filed, then the person who filed the foreclosure complaint shall provide, at minimum, a name, address, phone number, emergency contact information, and email of an agent in charge, as defined in Section 1763.03(g). ~~notify the City of the name, address and contact information for the person who will be responsible for maintaining the property.~~

1763.99 PENALTY.

See section 1753.99.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.

By – Planning and Zoning Commission

An ordinance amending, enacting, and repealing various chapters of Part Thirteen of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid.

WHEREAS, the Zoning Code of the City of Euclid was originally adopted through Ordinance 2812 on November 13, 1922 and has been amended and updated numerous times in the almost 102 years since its adoption; and

WHEREAS, the City of Euclid is a member for the First Suburbs Development Council, which partnered with the Cuyahoga County Planning Commission to undertake a study of the zoning codes of its 19 member communities and a survey of housing developers to understand zoning barriers to development. Results were accumulated and summarized in a final report, Single-Family Zoning Analysis, Phase 1; and

WHEREAS, results found, amongst other items, that housing developers found zoning codes presented obstacles to development in First Suburbs communities, including Euclid, due to unclear, inconsistent, and conflicting regulations, and that there were numerous regulations that did not match the built environment, such as the fact that 77% of parcels in the U1 and U2 Districts in Euclid do not meet the current Zoning Code requirements for minimum lot width; and

WHEREAS, at its August 13, 2024 meeting, the Planning and Zoning Commission of the City of Euclid made a positive recommendation to City Council that various sections of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid be amended or repealed and three new chapters be enacted.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That various sections of Chapters 1311, 1341, 1357, 1358, 1359, 1362, 1363, 1364, 1365, 1377, 1379, 1381, 1383, and 1385 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid are hereby amended:

1311.03 SIZE OF LOTS.

All lots on the plat of any ~~subdivision shall have a minimum street frontage of seventy-five feet and a minimum area of 7,500 square feet~~ newly established subdivision of more than ten buildable lots shall have a minimum street frontage of fifty feet and a minimum area of 4,000 square feet, except that smaller frontages may be approved for individual lot fronts on curved streets where the width of any such lot increases going from front to rear and where the width of the lot at the probable location of the dwelling house to be built thereon is not less than seventy-five feet. However, the Planning and Zoning Commission, subject to the confirmation and approval of Council, may approve the plat of a subdivision in an old established neighborhood of the City not involving any new streets, containing lots of less width than seventy-five feet, if the lots conform generally to the other lots in the neighborhood. If it appears that any subdivision will not be served within a reasonable time by a public sanitary sewer system, then all lots shall have a minimum frontage of 100 feet and a minimum area of 18,000 square feet unless the subdivision is served by a public water system, in which case the minimum frontage shall be eighty feet and the minimum area 14,400 square feet. However, these requirements with reference to the size of lots not to be served by a public sanitary sewer system may be varied by the Commission upward or downward in individual cases when, in the opinion of the Commission, such action is justified by a written report of the City or County Health Commissioner (whoever has jurisdiction) on the soil characteristics, topography and other conditions of the proposed subdivision.

1341.01 DISTRICTS AND ZONE MAP ESTABLISHED.

For the purpose of regulating and restricting the location of trades, industries, apartment houses, two-family houses, single-family houses and other uses of property, the number of square feet of lot area per family housed, the width of lots, the location and size of yards and the size and height of buildings, the City is divided into 12 classes of use districts ~~Zoning Use Districts set forth in Title Nine of this zoning ordinance~~ termed respectively:

- ~~Class U1 or Single-Family House Districts;~~ U1 Residential District;
- ~~Class U2 or Two-Family House Districts;~~ U2 Residential District;
- ~~Class U3 or Apartment House~~ U3 Multi-Family Residential Districts;
- ~~Class U3E or Elevator Apartment House Districts;~~
- ~~Class U3EL or Senior Citizens Use Districts;~~

ASF Attached Single-Family Districts;
Class U4 or Local Retail or Wholesale Store Districts;
Class U5 or Commercial Districts;
Class U6 or Industrial and Manufacturing Districts;
Class U7 or Light Industrial Park Districts;
Class U8 or Office Building Districts; and
Class CI or Campus Institutional Use Districts;

Overlay Districts

~~—also into three classes of height districts termed respectively Class H1, H2 and H3; and into four classes of area districts termed respectively Class A1, A2, A3 and A4.~~

All districts are as shown on the Zone Map which is declared to be a part hereof. The use, height and area districts designated on the Zone Map are established. The Map designations and the Map designation rules which accompany the Map are declared to be part thereof and hereof.

No buildings or premises shall be erected or used except in conformity with the regulations in this Planning and Zoning Code prescribed for the respective use, height and area district in which such building or premises are located.

Except where otherwise noted in this zoning ordinance, land is also identified on the Zone Map as belonging to three classes of height districts termed H1, H2, and H3; and into four classes of area districts termed respectively A1, A2, A3, and A4. These Supplemental Height Regulations and Supplemental Area Regulations are set forth in Title Eleven of this zoning ordinance.

In the case that regulations on the Zone Map differ from those set forth in this zoning ordinance, the regulations in this zoning ordinance shall prevail.

**Chapter 1357
U3EL Senior Citizens Use Districts**

1357.01 Compliance Required.

~~**1357.02 Modifications.**~~

1357.02 Senior Citizen Defined.

1357.03 Compliance With Federal Regulations.

~~**1357.04 Senior Citizen Defined.**~~

1357.04 Permitted Principal And Conditional Uses

~~**1357.05 Apartment Size.**~~

1357.05 Accessory Uses

~~**1357.06 Special Requirements.**~~

1357.06 Height, Lot Area And Width, And Setback Requirements.

~~**1357.07 Conformance; Conflict Of Laws.**~~

1357.07 Landscaped Areas And Lot Coverage.

1357.08 Apartment Size.

1357.09 Special Requirements.

1357.10 Conformance; Conflict Of Laws.

1357.01 COMPLIANCE REQUIRED.

In a Senior Citizens U3EL Use ~~the U3EL Senior Citizens Use (U3EL Senior)~~ District no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, for a senior citizens use, unless it complies with the provisions of this chapter.

~~**1357.02 MODIFICATIONS.**~~

~~—In order to provide for the utilization of this use classification for senior citizens, all of the existing use regulations shall govern, except those specifically modified as hereinafter set forth, subject to compliance with the enumerated conditions herein.~~

1357.02 SENIOR CITIZEN DEFINED.

“Senior citizen” means an individual 62 years of age or older.

1357.03 COMPLIANCE WITH FEDERAL REGULATIONS.

Every applicant must present evidence that its request for a senior citizens use is in compliance with the rules and regulations of the United States Government concerning age, income and minimum standards for such senior citizens use.

1357.04 SENIOR CITIZEN DEFINED.

—“Senior citizen” means an individual 62 years of age or older.

1357.04 PERMITTED PRINCIPAL AND CONDITIONAL USES

Principal permitted and conditional uses in the U3EL Senior District shall conform to those set forth in the U3 Multi-Family District Section 1354.04.

Additionally, Senior Citizens Apartment Buildings and Senior Citizen Assisted Living Facilities are permitted in the U3EL Senior District.

In order to provide for the utilization of this use classification for senior citizens, all of the existing use regulations shall govern, except those specifically modified as hereinafter set forth, subject to compliance with the enumerated conditions herein.

1357.05 ACCESSORY USES.

Accessory uses in the U3EL Senior District shall conform to those set forth in the U3 Multi-Family District Section 1354.05.

1357.06 HEIGHT, LOT AREA AND WIDTH, AND SETBACK REQUIREMENTS.

Height, lot area and width, and setback requirements in the U3EL Senior Citizens District shall conform to standards for elevator apartment houses as set forth in the U3 Multi-Family District Sections 1354.06 - 1354.10.

1357.07 LANDSCAPED AREAS AND LOT COVERAGE.

Landscaped area and lot coverage in the U3EL Senior Citizens District shall conform to standards set forth in the U3 Multi-Family District Section 1354.12.

1357.05 1357.08 APARTMENT SIZE.

Upon determination by the Planning Planning and Zoning Commission that the proposed application complies with the requirements of Section 1358.03, the following specifications shall be in effect:

(a) Minimum Apartment Size:

| <i>Number of Bedrooms</i> | <i>Square Feet</i> |
|---------------------------|--------------------|
| 1 | 490 |
| 2 | 640 |
| 3 | 790 |

1357.06 1357.09 SPECIAL REQUIREMENTS.

Every senior citizens' building shall comply with the following requirements and a statement under oath to the effect that these requirements will be met shall be made a part of the certificate of occupancy.

- (a) An applicant desiring to live in a senior citizens' building must have a personal interview with the owner of the building or its agents.
- (b) At least one registered nurse or licensed practical nurse will be available 24 hours per day.
- (c) An agreement with at least one local hospital for emergencies shall be in effect.
- (d) At least one elevator shall be equipped with emergency electric power and be large enough to handle a stretcher.
- (e) Interior assembly and recreational areas must total at least 20 feet per dwelling unit.
- (f) The coffee shop or cafeteria shall be restricted to the use of the residents of the building and their guests.

1357.07 1357.10 CONFORMANCE; CONFLICT OF LAWS.

The apartment building shall conform in all respects to either Chapter 1355 or Chapter 1356 Chapter 1354, except as herein provided. In the event of conflict, this chapter shall govern.

1358.03 PERMITTED BUILDINGS, STRUCTURES AND USES.

In an ASF District buildings and land shall be used by right only for the main uses set forth below:

- (a) Detached single-family dwellings as permitted in U1 Districts and as regulated in Chapter 1354 1352; and
- (b) Attached single-family condominium dwellings.

1358.05 AREA REGULATIONS AND YARD REQUIREMENTS.

In an ASF District land and structures shall be developed and maintained in accordance with the following area regulations:

- (a) Development area: Two acres minimum.
- (b) Density: Ten dwelling units per acre maximum. (See subsection (c) hereof for requirements for density increase up to twelve dwelling units per acre maximum.)

(c) Requirements for density increase: The Planning and Zoning Commission may permit on development areas greater than ten acres an increase in the density of dwelling units permitted for each of the following amenities provided. The total density increase permitted in any development shall be no more than twenty percent, with a maximum density of twelve dwelling units per acre.

(1) Construction materials. Increase in density of five percent if all exterior walls of main and accessory buildings are faced with masonry material such as brick or stone as approved by the Architectural Review Board;

(2) Underground or attached garages. Increase in density of 5% if required enclosed parking is provided underground or below each unit and does not add to the total building coverage;

(3) Additional enclosed parking and storage. Increase in density of 5% if one additional enclosed garage space and 40 square feet of additional private storage space are provided for each unit;

(4) Not adjacent to U1 District. Increase in density of 5% if no portion of the development abuts land zoned U1 within the City.

(d) Lot width at:

(1) Building line: One hundred feet minimum.

(2) Street line: Sixty feet minimum.

(e) Building coverage: Twenty-five percent maximum, including all main and accessory buildings and structures.

(f) See also Supplemental Area Regulations contained in Chapter 1381.

1358.06 HEIGHT REGULATIONS.

In an ASF District structures shall be developed and maintained in accordance with the following height regulations:

(a) Buildings. Two and one-half stories and not exceeding 35 feet;

(b) Accessory Structures. Six feet maximum for fences, walls and other accessory structures which are not buildings, except ten feet maximum for fences enclosing tennis courts;

(c) Exceptions to Height Limit. Chimneys and antennas located on a main building may exceed the height limit established for buildings but are limited to a maximum height of ten feet above the roof line. Approved street lighting is exempt from the height limitations of division (b) hereof. See also Section 1379.02.

Chapter 1359

U4, U5 and U6 Business and Industrial Districts

1359.01 Intent.

1359.02 Use regulations.

1359.03 Permitted uses.

1359.04 Definitions of specific uses.

1359.05 Supplemental regulations for all uses.

1359.06 Regulations for specific uses.

1359.07 Height Requirements.

1359.08 Lot Area And Setback Requirements.

1359.07 HEIGHT REQUIREMENTS.

(a) All buildings in the U4, U5, and U6 Districts shall conform to the following height restrictions in Table 1359.07.

Table 1359.07

| | Maximum Height |
|-----------|----------------------|
| U4 and U5 | 4 stories or 50 feet |
| U6 | 80 feet |

(b) Exceptions to height requirements in the U4, U5, and U6 Districts: See Section 1379.02.

1359.08 LOT AREA AND SETBACK REQUIREMENTS.

(a) All lots in U4, U5, and U6 Districts shall conform to the requirements below and in Table 1359.08.:

(1) No dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 700 square feet of the usable physical lot area for an elevator apartment house building, or 2,500 square feet of the usable physical lot area for apartment house buildings.

Table 1359.08

| | Lot Area (square feet/unit) | Front Yard Setback | Side and Rear Yard Setbacks |
|-----------|-----------------------------|--------------------|-----------------------------|
| U4 and U5 | 700 | 20 | See Chapter 1381. |
| U6 | 700 | 50 | |

(2) See supplemental areal standards in Chapter 1381. Where these standards differ from those in Chapter 1381, standards contained in this Chapter shall prevail.

1362.05 SITE DEVELOPMENT REGULATIONS.

The following site development regulations shall apply in U7 Light Industrial Park Districts:

- (a) Site Area. The minimum site area shall be two acres.
- (b) Lot Width. The minimum site width shall be 200 feet at the front yard setback line.
- (c) Building Setback From Street Right of Way. The minimum setback for lots that abut arterial streets is 100 feet. The minimum setback for lots that abut industrial roads is seventy-five feet.
- (d) Building Setback From Side Lot Lines. The minimum setback for lots that adjoin residential districts is seventy-five feet or three times the building height, whichever is greater. The minimum setback for lots that are within or adjoin nonresidential districts is twenty feet.
- (e) Building Setback From Rear Lot Line. The minimum setback for lots that adjoin residential districts is seventy-five feet or three times the building height, whichever is greater. The minimum setback for lots that are within or adjoin nonresidential districts is thirty feet.
- (f) Maximum Coverage By Buildings. The maximum site coverage by all buildings shall be thirty-five percent.
- (g) Height. The maximum height for all buildings in the U7 Light Industrial Park District shall not exceed thirty feet or two floors when adjoining residential districts or forty feet when adjoining nonresidential districts. Side and rear yard setbacks shall be at least three times the building height when adjoining a residential district. Mechanical space for building equipment placed on the building roof may be allowed above the maximum height specified, provided such mechanical equipment is set back a minimum of fifteen feet from any exterior wall, does not exceed fifteen feet in height and is adequately screened from view, and provided such mechanical equipment and screening are approved by the Planning and Zoning Commission. See also Supplemental Height Regulations in Chapter 1379.
- (h) Medical Marijuana Cultivation, Processing and Testing Facility. Any facility used in the cultivation, production and testing of medical marijuana shall not be located within 500 feet of a school, church, public library, public playground, or public park. Additionally, the facility must strictly adhere to any provisions of the Ohio Administrative code related to the cultivation, production and testing of medical marijuana.
- (i) See also Supplemental Area Regulations in Chapter 1381.

1363.06 AREA REGULATIONS.

Notwithstanding any other provision of this Planning and Zoning Code or of the Building and Housing Code, buildings and uses permitted in an Office Building District shall be located on a lot that complies with this section. The minimum lot area for such permitted use shall not be less than the area required to accommodate the main and accessory buildings and uses, on-site circulation, required parking and loading facilities and required yards. This section shall be construed to encourage sufficiently large sites for each development and to provide space for expansion and adjustment to future conditions. See also Supplemental Area Regulations contained in Chapter 1381.

1363.10 HEIGHT REGULATIONS.

Notwithstanding any other provision of this Planning and Zoning Code or of the Building and Housing Code, the height of any main or accessory building shall not exceed four stories or 50 feet in an Office Building District, except that elevators, chimneys, church spires, flagpoles, radio towers, water tanks and other permitted appurtenances located upon or constituted as an integral part of a main building may be erected above the height limit, but shall not exceed 75 feet above the finished grade. All parts of a building containing the mechanical and other service features of a building shall be designed and enclosed so as to be in harmony with the architectural treatment of the building. See also Supplemental Height Regulations contained in Chapter 1379.

1364.04 MINIMUM C-I DISTRICT AREA, MINIMUM LOT AREA AND MAXIMUM BUILDING COVERAGE.

The minimum land area required to apply the Campus-Institutional District zoning designation shall be three acres. Once the C-I District is established, parcels within the district shall not be further subdivided to an area less than one acre nor a lot width less than 150 feet.

The maximum building coverage of the lot shall be 60% of the entire campus site.

See also Supplemental Area Regulations contained in Chapter 1381.

1364.08 DEVELOPMENT AND DESIGN GUIDELINES.

The following development and design guidelines are established to ensure that all proposed development in a C-I District complies with the purpose and objectives of this chapter. The City Planning and Zoning Commission shall review plans for a proposed development, giving particular consideration to the following:

(a) Principles for Reviewing Conditional Uses. Large-scale institutional uses can be located in close proximity to adjacent land uses in a manner that integrates them with nonresidential uses and protects low density residential uses. Given these goals, the Planning and Zoning Commission shall consider the following principles when reviewing applications for conditional use permits.

(1) Standards when adjacent to Residential Districts. When reviewing a conditional use of this nature, the Planning and Zoning Commission shall attempt to ensure that residential properties are not negatively impacted by intrusions from the institutional uses. Therefore, the following standards shall be considered:

A. Adequate screening, buffering, and landscaping shall be provided to limit the view of the proposed use, reduce the noise between incompatible land uses, and ease the transition from one zoning district to another.

B. Natural features, especially mature trees, shall be preserved and supplemented with landscaping to buffer and screen adjacent residential districts. The Planning and Zoning Commission shall consider the setbacks, building mass and type of use when determining the extent of landscaping required.

C. The minimum setback area for buildings and parking areas set forth in Schedule 1364.05 shall be considered a buffer and landscaping area and shall contain no structures, with the exception of decorative fencing.

D. Pedestrian connections from the campus-institution development shall be designed to minimize impacts on adjacent residential neighborhoods.

E. The layout of parking areas, service area, entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of residential areas adjacent to the development.

(2) Standards when adjacent to nonresidential districts. When reviewing a conditional use of this nature, the Planning and Zoning Commission shall ensure that institutional uses are integrated into the fabric of the surrounding development; thereby becoming a part of the neighborhood in which they reside. Therefore, the following standards shall be considered:

A. Development proposals by institutional uses shall respect the existing built environment or the framework being created in an area through zoning and other applicable regulations.

B. The building placement, scale, and massing as well as the location of off-street parking facilities shall reflect and reinforce the surrounding development. If the adjacent areas are vacant, the building placement, scale, and massing as well as the location of off-street parking facilities shall reflect the development standards in the abutting zoning district.

(b) General Criteria.

(1) Buildings, structures and landscaping should be designed and located on the site and be of a scale and massing to:

(2) Enhance and protect the character of the surrounding area, especially adjoining residential areas;

(3) Minimize any adverse influences.

(4) See also Supplemental Height Regulations contained in Chapter 1379.

(c) Design of Parking Areas.

(1) The layout of parking areas, service areas, entrances, exits, signs, lighting, noise sources or other potentially adverse influences shall be designed and located to protect the character of residential areas adjacent to the development.

(2) Access from public streets to parking areas, service areas, and pedestrian walkways within the development shall be designed to minimize traffic hazards or congestion;

(3) Pedestrian connections from the campus institution development to adjacent parcels should minimize adverse intrusions into residential neighborhoods.

1365.05 DOWNTOWN OVERLAY DISTRICT.

The Downtown Overlay District as specifically shown and established on the Zoning Map of the City of Euclid generally consists of the commercial area in the area of Lake Shore Boulevard/Babbitt Road/ E.233rd Street/ Shore Center Drive/ E.222nd Street.

(a) Purpose. The purpose of the Downtown Overlay District is to promote and sustain:

(1) Quality economic growth. Assure opportunities for a stable, vital, diverse, and competitive economy at the heart of the City.

(2) Vibrant downtown. Strengthen downtown as a vibrant, commercial, civic, residential, and cultural art center with its own unique identity.

(3) Downtown appearance. Improve and enhance the appearance of the built environment and natural features throughout downtown, especially along primary commercial corridors and other major arterials.

(4) Unique character. Establish design standards unique to our downtown district.

(5) Pedestrian environment. Improve and enhance the pedestrian environment throughout downtown, as well as the pedestrian connections to surrounding neighborhoods and civic resources.

(b) Intent. The intent of the Downtown Overlay District is to:

(1) Encourage a vibrant mix of pedestrian-oriented uses, including shopping, civic, arts, residential, and entertainment uses.

(2) Establish height, bulk, and lot coverage regulations that balance existing urban fabric with a desired character for downtown.

(3) Promote mixed-use, multi-tenant buildings with active ground floor tenant space by regulating the quantity and location of doors and windows.

(4) Establish standards for setbacks and landscaping that encourage and promote a strong pedestrian environment.

(5) Establish parking and access standards that support pedestrian activity.

(6) Encourage preservation of existing buildings fulfilling the purpose and intent identified herein.

(c) Dimensional Standards.

(1) Building setbacks. For new construction, the building line shall be located within 20 feet of the street line. On corner lots, the building line may be set back a greater distance from the secondary street line in accordance with the underlying zoning.

(2) Building coverage. New building construction shall cover a minimum of 30% of the lot area.

(3) Minimum building height. For new construction, the minimum height of the building shall be 26 feet. See also Supplemental Height Regulations contained in Chapter 1379.

1365.06 RESIDENTIAL PLANNED DEVELOPMENT (RPD).

(a) Planned Development: Purpose and Qualifying Conditions.

(1) Purpose. The purpose of these planned development regulations is to provide locations for one or more planned developments (hereinafter referred to as "planned development") within the U1, U2, U3, U4, or CI Districts for which property owner(s) may propose and negotiate unique or flexible plans for development layouts, development standards, lot area, and height requirements and other features not otherwise permitted in these districts subject to approval by the City as provided herein. The purpose of these regulations is to encourage redevelopment of properties in a manner which generates significant value to the community responding to current residential markets.

(2) Qualifying conditions for planned development.

A. Only property located within the U1, U2, U3, U4, or CI Districts may be approved for a planned development.

B. The area of land proposed for a planned development shall:

1. Contain at least one contiguous acre exclusive of existing public rights-of-way.

2. Have access to an existing improved public road and frontage thereon of not less 40 continuous feet.

3. Not be divided by existing public roads or other areas which limit use for purposes Of the planned development.

C. The land for which a planned development application is submitted must be in single ownership or the subject of an application filed collectively by all owners of the properties intended to be included within the planned development. All land included within a planned development shall be under the control of the applicant, whether that applicant is an individual, partnership, or corporation or group of individuals, partnerships or corporations. Applicants shall present firm evidence, at the time of application, of unified control of the entire area within the proposed development. Except as specifically approved in the final development plan, unified control shall be maintained at all times that the planned development is in effect.

D. Except as otherwise approved in the preliminary and final development plans, the planned development shall comply with and contribute to the implementation of the applicable goals and specific objectives set forth in the current City of Euclid Master Plan and other adopted plans of the City.

(b) Planned Development: Specific Requirements.

(1) Uses in planned development. Permitted uses shall be one or more of the following:

A. Single-family dwellings, attached or freestanding.

B. Two-family dwellings.

C. Apartment houses.

D. Public park, public walkway, public bike route.

E. Group housing units limited to adult family homes and residential facility family homes.

F. Family day care home, Type B.

G. Commercial use. A commercial use or uses may be approved within a freestanding structure or a structure containing dwellings. At a minimum, the use shall comply with the following standards:

1. Shall be located on a site on which commercial uses are permitted or on a site which abuts a lot on which commercial uses are permitted.

2. Shall be found to be compatible with and supportive of the residential uses of the site as well as with the off-site surrounds.

3. Shall be located on the first floor only.

4. Shall not exceed 10% of the total floor area of a structure containing dwellings unless recommended by the Planning Commission and approved by City Council.

5. The proposed commercial use or uses to be permitted shall be identified in the development plan. Additional commercial uses which may be permitted in future re-use of the commercial space may also be identified in the development plan.

(2) Lot, area, yard and height requirements. Lot, area, yard and height requirements shall be as recommended by the Planning and Zoning Commission and as approved in the development plans based upon finding that they are appropriate as features of the integrated design of the planned development. See also Supplemental Height Regulations contained in Chapter 1379 and Supplemental Area Regulations contained in Chapter 1381.

1377.01 ACCESSORY USES IN RESIDENCE DISTRICTS.

(a) Accessory uses customarily incident to a Class U1, U2 or U3 use shall also be permitted in, respectively, a Class U1, U2 or U3 District, provided such accessory use is located upon the same lot with the building or use to which it is accessory. No such accessory building shall be less than three feet from the side yard line and no less than three feet from the rear yard line.

(b) In a U1 or U2 District a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 2,000 square feet of the lot area, provided however that in a U1 or U2 Use District no garage or combination of garage and accessory sheds shall be erected to exceed 696 square feet in floor area, by external dimensions, except that on lots exceeding 5,000 square feet the permitted accessory building area may be increased by a ratio of one square foot for each 12 square feet of additional lot area. However, in no case shall permitted accessory storage structures exceed 720 square feet in area or cover more than 40 % of the required rear yard as regulated in Section 1383.02, Rear Yards in Residence Districts. In a Class U3 District a private garage permitted as an accessory use shall not provide storage for more than one motor vehicle for each 625 square feet of the lot area.

(c) A billboard, signboard or advertising sign shall in no case be permitted as an accessory use. The placing of a "For Sale," "For Rent," "Open" or "Open House" sign shall, however, be permitted as an accessory use, but in no event shall "Open" or "Open House" signs be permitted except between the hours of 9:00 a.m. and 5:00 p.m. on Saturday, and on Sunday between the hours of 10:00 a.m. and 4:00 p.m.

(d) In a Class ~~the~~ U1 or U2 District a private driveway or walk used for access to a U4 or U5 use shall in no case be permitted as an accessory use.

1377.06 TRUCK, TRAILER, TRACTOR, BUS OR SEMITRAILER PARKING OR STORAGE.

(a) For the purposes of this section, a truck shall be any vehicle so defined by Ohio R.C. Chapter 4511 and containing only a commercial truck license from the State, including trailers and semitrailers. School bus, bus, commercial tractor, pole trailer and moving van shall also be as defined by Ohio R.C. Chapter 4511.

(b) No person shall park or store any truck, school bus, bus, commercial tractor, pole trailer or moving van in a U1, U2, U3, U3E or U3EL Senior Citizens Use District, including on any public street or highway, except to make deliveries or pickups or for the loading or unloading of persons, unless such truck, school bus, bus, commercial tractor, pole trailer or moving van is parked or stored in a completely enclosed structure.

CHAPTER 1379

Supplemental Height Regulations

1379.01 Height district regulations.

1379.02 Height district exceptions.

1379.03 Height regulations for U3 Apartment House and U3E Elevator Apartment House Districts.

1379.01 HEIGHT DISTRICT REGULATIONS.

~~—(a) In a Class H1 District no building shall be erected to a height in excess of two and one-half stories or in excess of thirty-five feet except that a church, school or library building shall not be erected to a height in excess of four stories or in excess of fifty feet.~~

~~—(b) In a Class H2 District no building shall be erected to a height in excess of four stories or in excess of fifty feet.~~

~~—(c) In a Class H3 District no building shall be erected to a height in excess of eighty feet.~~

(a) Unless otherwise stated in the Zoning Use District chapters contained in Title 9 of this zoning ordinance, height district regulations are established as follows and are indicated on the zoning map:

(1) In a Class H1 District no building shall be erected to a height in excess of two and one-half stories or in excess of thirty-five feet except that a church, school or library building shall not be erected to a height in excess of four stories or in excess of fifty feet.

(2) In a H2 District no building shall be erected to a height in excess of four stories or in excess of fifty feet.

(3) In a H3 District no building shall be erected to a height in excess of eighty feet.

CHAPTER 1381
Supplemental Area Regulations

~~1381.01 Lot area per family; Class A1 District.~~

1381.01 Area District Regulations.

1381.02 Class A2 District.

1381.03 Class A3 District.

1381.04 Class A4 District.

1381.05 U3E Elevator Apartment House District area regulations.

1381.06 Corner lot to be considered as interior lot.

1381.07 Families per lot area within business or industrial use.

1381.08 Rear houses.

1381.09 Width of lot in residence districts.

1381.10 Landscaped areas and lot coverage for apartment house districts.

1381.11 Minimum floor area of a single family dwelling.

1381.01 LOT AREA PER FAMILY; CLASS A1 DISTRICT.

~~—In a Class A1 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 5,000 square feet of the area of the lot if an interior lot, or for each 4,000 square feet if a corner lot. However, one single-family dwelling may be erected on any lot separately owned at the time of the passage of the Zoning Ordinance (Ordinance 2812, passed November 13, 1922) or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder at the time of the passage of the Zoning Ordinance.~~

1381.02 CLASS A2 DISTRICT.

~~—In a Class A2 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 2,500 square feet of the area of the lot if an interior lot, or for each 2,000 square feet if a corner lot.~~

1381.03 CLASS A3 DISTRICT.

~~—In a Class A3 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 2,500 square feet of the area of the lot if an interior lot, or for each 2,000 square feet if a corner lot.~~

1381.04 CLASS A4 DISTRICT.

~~—In a Class A4 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 700 square feet of the usable physical lot area for an elevator apartment house building, or 2,500 square feet of the usable physical lot area for apartment house buildings.~~

1381.01 AREA DISTRICT REGULATIONS.

(a) Unless otherwise stated in the Zoning Use District chapters contained in Title 9 of this zoning ordinance, area district regulations are established as follows and are indicated on the zoning map:

(1) In a Class A1 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 5,000 square feet of the area of the lot if an interior lot, or for each 4,000 square feet if a corner lot. However, one single-family dwelling may be erected on any lot separately owned at the time of the passage of the Zoning Ordinance (Ordinance 2812, passed November 13, 1922) or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder at the time of the passage of the Zoning Ordinance.

(2) In a Class A2 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 2,500 square feet of the area of the lot if an interior lot, or for each 2,000 square feet if a corner lot.

(3) In a Class A3 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 2,500 square feet of the area of the lot if an interior lot, or for each 2,000 square feet if a corner lot.

(4) In a Class A4 District no dwelling or apartment house shall be erected or altered to accommodate or make provision for more than one family for each 700 square feet of the usable physical lot area for an elevator apartment house building, or 2,500 square feet of the usable physical lot area for apartment house buildings.

(a) In the event that area regulations contained in the Zoning Use Districts of Title Nine of this zoning ordinance differ from the Area District Regulations above and on the zoning map, the area regulations contained in the Zoning Use Districts in Title Nine shall prevail.

1381.06 1381.02 CORNER LOT TO BE CONSIDERED AS INTERIOR LOT.

In computing area of the lot for the purpose of Sections 1381.01 through 1381.07, any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.

1381.07 1381.03 FAMILIES PER LOT AREA WITHIN BUSINESS OR INDUSTRIAL USE.

For the purpose of determining the number of families that may be housed on a given lot area where a portion of a building in a Class A1, A2 or A3 District is arranged, intended or designed for a business or industrial use, the number of families that may be housed on such lot shall be reduced by one for each 1,250 square feet or fraction thereof of lot area actually covered by such portion of the building as is arranged, intended or designed for such business or industrial use.

1381.08 REAR HOUSES.

~~In a Class U1, U2 or U3 District every dwelling or apartment house erected shall have access to a public street and if located in the rear of other buildings with no immediate street frontage, an easement for access shall be provided over an unoccupied strip of land at least twenty feet in width, and such reserved strip may not form a part of any yard or lot areas required by this Zoning Code.~~

1381.09 WIDTH OF LOT IN RESIDENCE DISTRICTS.

~~In a Class U1, U2 or U3 District no dwelling shall be erected on a lot having an average width of less than sixty feet, unless such lot was separately owned at the time of passage of the Zoning Ordinance (Ordinance 2812, passed November 13, 1922), or unless such lot is a numbered lot in a subdivision that is on record in the office of the County Recorder at the time of the passage of the Zoning Ordinance. In a Class U2 District no double or two-family house shall be erected on a lot having an average width of less than sixty feet. In a Class U3 District no apartment house shall be erected on a lot having an average width of less than 100 feet.~~

1381.10 LANDSCAPED AREAS AND LOT COVERAGE FOR APARTMENT HOUSE DISTRICTS.

~~The percent of lot to be landscaped shall not be less than as set forth in the following schedule, and the ground floor area of apartment house buildings plus the total ground floor area of all accessory buildings shall not occupy or cover more of the lot than as set forth in the following schedule:~~

| | <i>Minimum Landscaped Area of Lot (Percent)</i> | <i>Maximum Building Coverage of Lot</i> | |
|--------------------------|---|---|---|
| | | <i>Apartment Buildings (Percent)</i> | <i>All Buildings With Exposed Roofs (Percent)</i> |
| Apartment House | 50 | 15 | 20 |
| Elevator Apartment House | 40 | 15 | 30 |

~~Landscaped areas shall be construed to be those parts of the lot developed with walks, terraces, play areas and lawns, shrubs or other planting.~~

~~The building coverage of the lot shall be construed as the total area of the main building or buildings, plus all accessory buildings. The percentage shall be the total area of buildings in ratio to the gross area of the lot expressed as a percentage. The area of all buildings shall be measured at the ground level, except accessory buildings whose roofs do not extend more than four feet above grade.~~

~~Driveways, open parking areas and beach and bluff areas of lakefront lots are to be excluded from the above percentage of lot areas.~~

1381.11 MINIMUM FLOOR AREA OF A SINGLE FAMILY DWELLING.

~~All single family and two family dwelling units shall be constructed to have a minimum livable floor area, excluding basement and utility room areas, based on their respective lot size as stated in the table below:~~

| <i>Lot Size</i> | <i>Floor Area</i> |
|-------------------------------|-------------------|
| Lots up to 10,000 square feet | 1,250 square feet |
| Lots over 10,001 square feet | 1,500 square feet |

~~The above floor area requirement shall not apply in Attached Single Family Districts or to single family dwelling units approved under the terms of a residential planned development per Section 1365.06 of the Euclid Zoning Code.~~

**CHAPTER 1383
Rear and Side Yards**

- 1383.01 Side yards in residence districts.
- 1383.02 Rear yards in residence districts.
- 1383.03 Rear yards in apartment house districts.
- 1383.04 Yard regulations; apartment house districts.

1383.05 Side and rear yards in business districts.

1383.06 Side and rear yard exceptions.

1383.01 SIDE YARDS IN RESIDENCE DISTRICTS.

(a) In a Class U1, U2 or U3 District, there shall be, for every building erected, a side yard along each lot line other than a front line or rear line.

(b) Each single-family dwelling, each two-family dwelling and each apartment house shall be deemed a separate building and shall have side yards as prescribed in subsection (a) hereof, except that two single-family dwellings may be attached as a double house and be considered a single building in any area other than in an area within a portion of a Class U1, U2 or U3 District **this section**.

~~(c) The least dimension of a side yard on a lot less than fifty feet shall be not less than three feet, and the total width of side yards shall be not less than ten feet, and in no case shall there be less than ten feet between dwellings.~~

~~(d) The least dimension of a side yard on a lot fifty feet or greater shall be not less than five feet and the total side yards shall be not less than fifteen feet. In no case shall there be less than ten feet between dwellings.~~

~~(e) For an apartment house or hotel in a U3 District the least dimension of each side yard shall be not less than ten percent of the average width of the lot, but such least dimension need not exceed twelve feet.~~

(c) In the U1 and U2 Districts, all side yards shall conform to regulations set forth in Section 1352.09.

(d) In the U3 and U3EL Districts, all side yards shall conform to regulations set forth in Section 1354.09 and 1354.10.

1383.02 REAR YARDS IN RESIDENCE DISTRICTS.

~~(a) In a Class U1, U2 or U3 District every building erected shall have a rear yard.~~

~~(b) The least dimension of such rear yard shall be twenty percent of the depth of the lot, but such least dimension need not be more than forty feet, provided that such least dimension shall in no case be less than one-half the height of the building.~~

~~(c) Forty percent of the area of such yard may be occupied by one accessory building not more than fifteen feet in height. However, on a corner lot, the rear line of which is identical with the side line of an interior lot, no such accessory building, if detached from the main building, shall be erected within twenty feet of any street line or within ten feet of the rear lot line.~~

~~(d) There shall be a minimum of ten feet between a dwelling and an accessory building.~~

(a) Rear yards in U1 and U2 Residential Districts shall conform to regulations set forth in Section 1352.10.

1383.03 REAR YARDS IN APARTMENT HOUSE U3 and U3EL DISTRICTS.

~~Notwithstanding the requirements set forth in other sections of this chapter, in the development of an apartment house project of one or more buildings, the yards between buildings or parts of the same building and the yards between any building and a side or rear lot line shall be designed and constructed in accordance with yard regulations set forth in Section 1383.04.~~

Rear yards in the U3 Multi-Family District shall conform to regulations set forth in Section 1354.10.

Additional Yard Regulations in the U3 and U3EL Districts shall conform to Sections 1354.07 through 1354.10.

1383.04 YARD REGULATIONS; APARTMENT HOUSE DISTRICTS.

~~In order to encourage greater flexibility in design and more attractive arrangements of buildings and greater utilization of open spaces, yard regulations for apartment house buildings are hereby established.~~

~~The yards of apartment house buildings shall be related to the space within the dwelling units as well as the yards. Buildings shall be arranged so as to assure privacy between adjacent buildings and intersecting wings of buildings, from streets and parking and recreation areas in accordance with the following:~~

~~(a) Minimum Distance Between Facing and Overlapping Buildings. The minimum distance(s) between any two apartment house buildings or parts thereof in a development area will vary according to the length (L) and height (H) of buildings. Such minimum distance(s) shall be determined by the formula:~~

$$\text{Minimum Distance(s)} = \frac{L_A + L_B + H_A + H_B}{f}$$

~~the elements of such formula being defined as follows:~~

~~(1) Minimum Distance(s) means the required minimum horizontal distance between any wall of building A and the nearest wall of building B or the vertical prolongation of either.~~

~~(2) L_A means the total length of building A which, for the purposes of the formula, is defined as the length of the portion or portions of any wall or walls of building A from which lines drawn perpendicular to the face of such wall or walls will intersect any wall of building B.~~

~~(3) L_B means the total length of building B which, for the purposes of the formula, is defined as the length of the portion or portions of any wall or walls of building B from which lines drawn perpendicular to the face of such wall or walls will intersect any wall of building A.~~

~~(4) H_A means the height of building A.~~

~~(5) H_B means the height of building B.~~

(6) f means the division factor, which shall be:

5 for an apartment house, U3 District;

3 for an elevator apartment house, U3E District;

The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.

(b) Minimum Distance in Oblique and Angular Building Arrangements. The minimum distance(s) in such arrangements are determined by the formula:

$$LA^1 + LA^2 + LB + HA + HB$$

$$\text{Minimum Distance(s)} = f$$

The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.

(c) Minimum Distance Between Nonoverlapping Walls. Where walls of two buildings do not directly face each other or do not overlap, i.e. where lines drawn perpendicular from the face of any wall of one building will not intersect the face of any wall of another building, the minimum horizontal distance between such buildings shall not be less than one-half of the combined height of the two buildings. Such minimum distance(s) shall be determined by the formula:

$$\text{Minimum Distance(s)} = HA + HA$$

2

The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.

(d) Minimum Distance Between Walls of Court Arrangements. In arrangements where two or more buildings are connected by a common entranceway of two stories or less, the entire length of the principal buildings shall be used to determine the length (L) factor. The minimum distance(s) shall be determined by applying the formula set forth in subsection (a) hereof.

In arrangements of parallel walls with offset sections, the distance between the section of walls shall be derived from such formula and shall be measured as the average distance, provided that the minimum distance(s) between any two facing sections shall be not less than sixty feet. The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.

In U shaped arrangements the minimum distance(s) between the parallel walls (A and B) facing the court are determined by the formula:

$$\text{Minimum Distance(s)} = 2(LA + LB) + HA + HB$$

f

The minimum distance(s) between any two facing sections shall be not less than sixty feet. The elements of the formula are shown on the illustrations following subsection (h) hereof and defined above.

In H shaped arrangements the minimum distance(s) between the parallel buildings as indicated by the measurement of walls LA and LB facing the court are determined by the formula:

$$\text{Minimum Distance(s)} = LA + LA' + LB + LB' + HA + HB$$

The minimum distance(s) between any two facing sections shall be not less than sixty feet. The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.

(e) Minimum Distance Between Buildings and Side or Rear Lot Lines. The minimum distance(s) between any apartment building or parts thereof in a development area and any side or rear line of such development area shall vary according to the length and height of the building. Such minimum distance(s) shall be determined by the following formulas:

Where land zoned as an Apartment or Elevator Apartment House District abuts U1 One-Family or U2 Two-Family Districts:

$$\text{Minimum Distance(s)} = A + L + H$$

f

Where land zoned as an Apartment or Elevator House District abuts all other zoned uses:

$$A + L + H$$

$$\text{Minimum Distance(s)} = f$$

2

The elements of such formula being described as follows:

A = twenty feet where the (L) is less than fifty feet and the (H) is less than thirty-five feet. In all other cases "A" shall be fifty feet.

L = length of the property line in feet measured between perpendicular lines to the property line where such perpendiculars touch the extreme ends of the building.

H = height of building in feet.

F = division factor from the schedules below.

Buildings whose length (L) is up to 100 feet and:

the height (H) is up to 50 feet F = 5

the height (H) is 50.1 to 100 feet F = 3

the height (H) is 100.1 to 150 feet F = 2

the height (H) is 150.1 and up F = 1.5

Buildings whose length (L) is from 100.1 feet to 250 feet and:

- the height (H) is up to 50 feet F = 3.5
- the height is from 50.1 feet to 100 feet F = 2.5
- the height (H) is from 100.1 and up F = 1.5
- Buildings whose length (L) is 250.1 feet or more and:
 - the height (H) is up to 50 feet F = 2.5
 - the height (H) is from 50.1 to 100 feet F = 1.5
 - the height (H) is from 100.1 feet and up F = 1

— When computing the setback formula for buildings of more than one wing, all wings that are within fifteen degrees of being perpendicular to the property line shall be considered as a separate building for measurement purposes. All attached wings that are not within fifteen degrees of the perpendicular to the property line shall be considered as one continuous building and the entire length between perpendicular lines to the property line shall be used for determining the length requirement of the formula.

— The required setback shall be measured from the wall plane or point that is the closest to the property line.

— (f) Distances From Main Building to Accessory Uses. The minimum distance(s) from any apartment house building to parking areas, driveways, walks and recreation areas to the development area boundaries, as set forth in this subsection, are desirable criteria to be applied in the site planning.

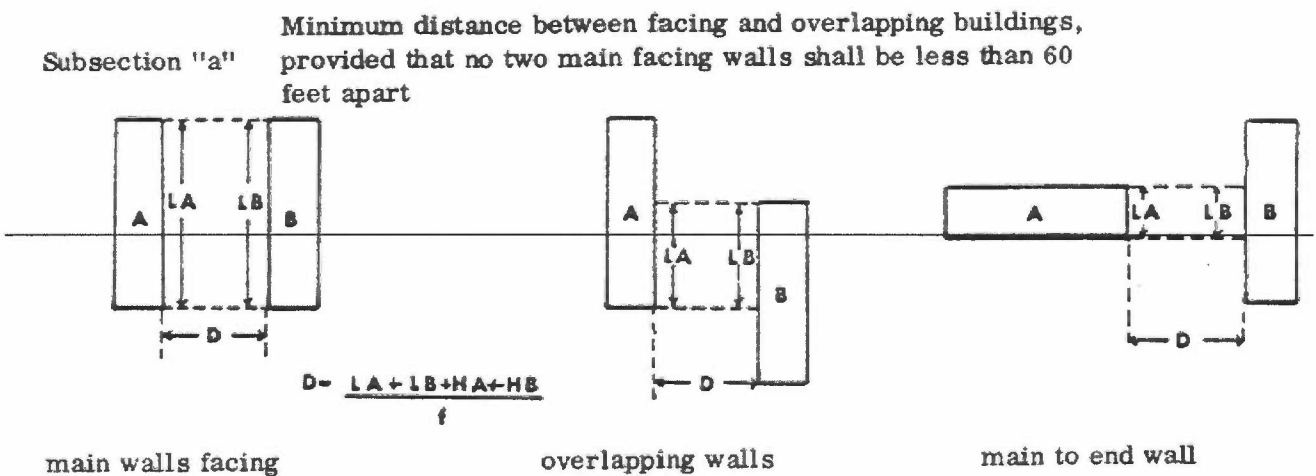
| Accessory Use | Minimum Distances | | |
|---|--------------------------|-----------------|----------------------------|
| | From Apartment Buildings | | From Boundary Lines (feet) |
| | Main Wall (feet) | End Wall (feet) | |
| (1) Parking areas | 10 | 20 | 20 |
| (2) Private streets (except at entrances) | 30 | 30 | 40 |
| (3) Walks (public use) | 15 | 10 | 40 |
| (4) Recreation areas (active play) | 40 | 30 | 45 |

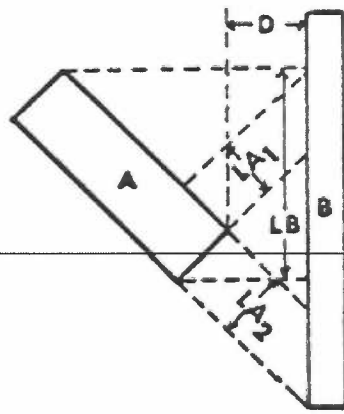
— The minimum distance(s) set forth in the schedule are intended to be applied to:

- A. Main wall. Any exterior wall containing the principal windows of a living, dining or sleeping room or rooms;
- B. End wall. Any exterior wall, other than a main wall, containing minor windows of a dining or sleeping room, or principal or minor windows of kitchen or bathrooms, or a blank surface;
- C. Private streets. At all locations except at the garage entrance or main entrance of the dwelling served;
- D. Walks. Used by the public at all locations except at the entrance to the dwelling served; and
- E. Recreation areas. Areas used for active play.

— (g) Townhouse Dimensions. A unit of a townhouse shall be not less than eighteen feet in width and any main or longitudinal wall of a sequence of townhouse units shall not exceed 100 feet in length without a ninety degree offset of at least ten feet, and the aggregate length of any wall, including its offsets, shall not exceed 160 feet in length.

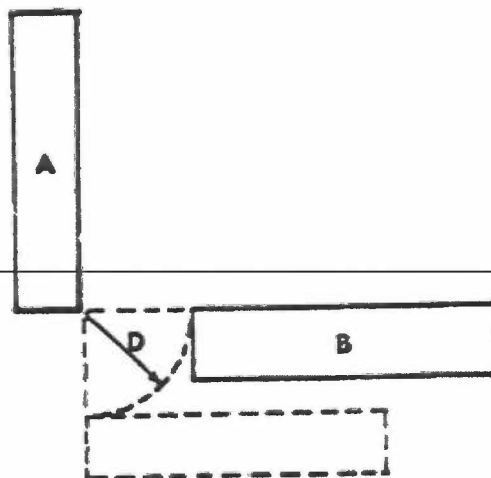
— (h) Illustrations of Yard Regulations. The following diagrams, called "Illustrations of Yard Regulations," indicate the regulations and planning criteria as set forth in this section and they are hereby made a part of this Zoning Code.





$$D = \frac{LA_1 + LA_2 + LB + HA + HB}{f}$$

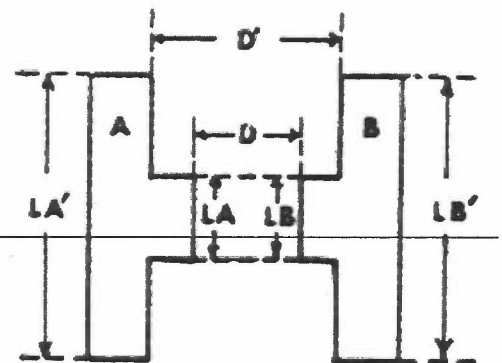
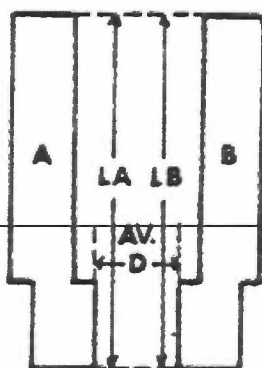
Subsection "b" Minimum distance between oblique facing buildings



$$D = \frac{HA + HB}{2}$$

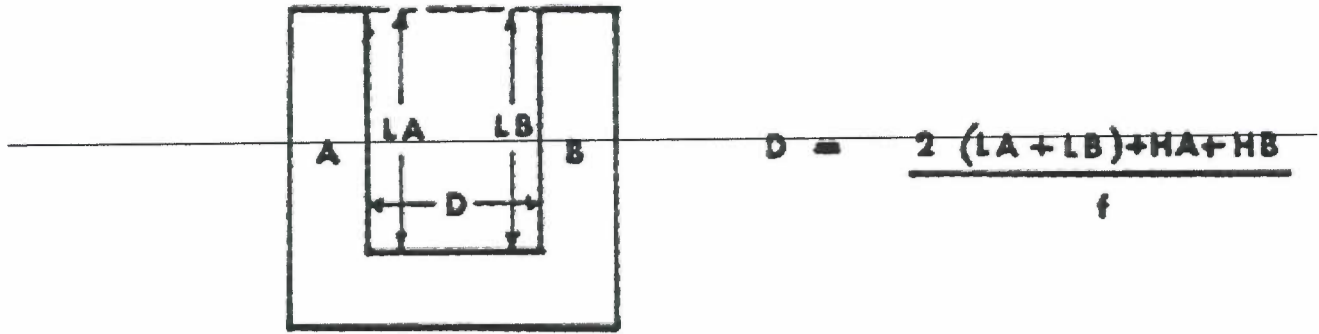
Subsection "c" Minimum distance between non-overlapping walls

Subsection "d" Minimum distance between walls of court arrangements

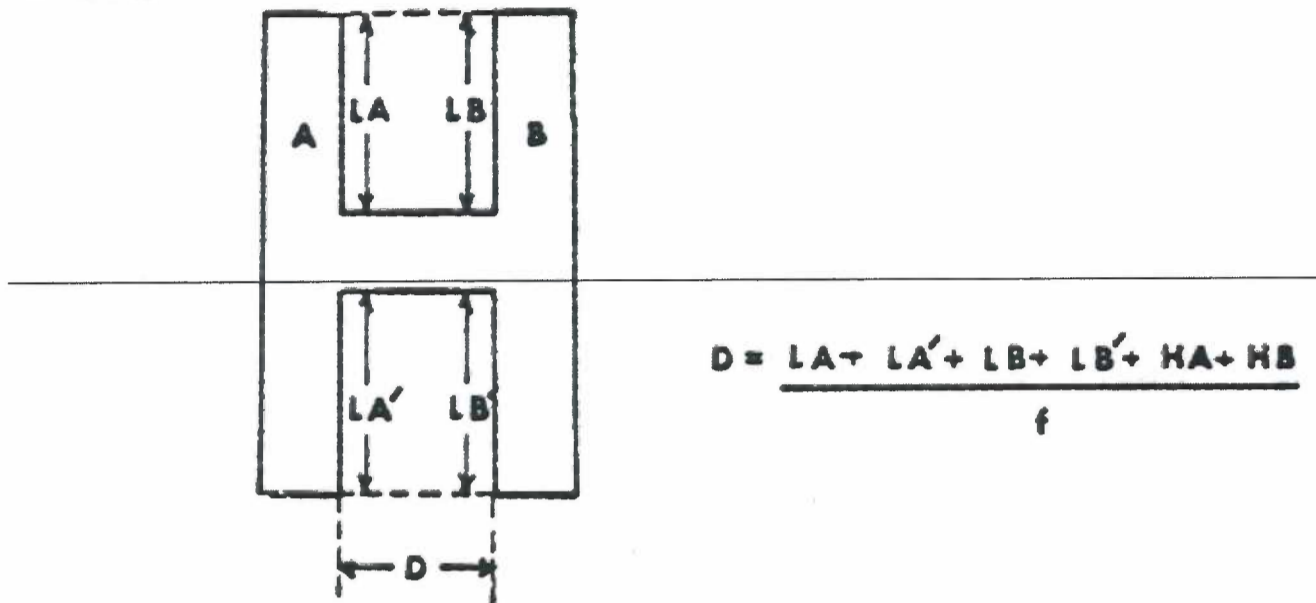


$$D = \frac{LA + LB + HA + HB}{f}$$

U-shaped arrangement



H-shaped arrangement



1385.01 GENERAL PROVISION; SIGNS.

(a) For the purpose of regulating front yards, for the purpose of further regulating side yards of corner buildings and for the purpose of regulating the alignment of buildings near street frontages, building lines are set forth on the Zone Map, which lines are hereby declared to be a part thereof and hereof and are established. The Map designations and the Map designation rules which accompany the Map are hereby declared a part thereof and hereof. Every building shall be erected on and aligned with the building line, except in the case of land parcels exceeding ten acres in size in a U6 District.

(b) No building or portion of a building extending above the established grade, or sign, except where a sign is permitted, shall be erected or maintained between a building line and the street line.

(c) Front yards in residential districts.

(1) Where front yard setbacks established in Chapter 1352 for U1 and U2 Residential Districts differ from those established on the Zone Map, regulations set forth in Section 1352.08 shall prevail.

(2) Where front yard setbacks established in Chapter 1354 for the U3 Multi-Family Residential District differ from those established on the Zone Map, regulations set forth in Section 1354.08 shall prevail.

Section 2: That Chapters 1321, 1352, and 1354 of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid are hereby enacted:

Chapter 1321 Definitions

1321.01 Definitions generally.

1321.02 Tenses; plurals; lot; plot; building.

1321.03 Definitions.

1321.01 DEFINITIONS GENERALLY.

Certain words in this Planning and Zoning Code are defined for purposes of such Code, where the context so indicates as well as where the meaning so requires as provided in this chapter.

1321.02 TENSES; PLURALS; LOT; PLOT; BUILDING.

Words used in the present tense include the future; the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot" and the word "building" includes the word "structure."

1321.03 DEFINITIONS.

(1) **"Accessory use" or "accessory building"** means a use or building customarily incident to and located on the same lot with another use or building.

(2) **"Adult family home."** See definition under "Group Housing."

(3) **"Adult group home."** See definition under "Group Housing."

(4) **"Apartment"** means a room or suite of rooms in an apartment house, which room or suite is arranged, intended or designed to be occupied as the residence of a single family, individual or group of individuals.

(5) **"Apartment house."** See definition under "Dwelling types".

(6) **"Automobile service facility (see also gasoline station)."** A building, part of a building, structure or space that is used for the retail sale of lubricants and motor vehicle accessories, the routine maintenance and service of vehicles and the making of minor repairs to motor vehicles, which are normally completed within one business day. Repairs described under "Motor Vehicle Repair" shall not be permitted.

(7) **"Body-piercing shop."** A building or portion thereof where piercing of human body parts is administered or from which a body-piercing business or service is operated. This shall not include establishments that limit their piercing to ears only.

(8) **"Check cashing non-chartered financial establishment."** A financial establishment other than a State or Federally chartered bank, credit union, mortgage lender or savings and loan association that offers check cashing services and loans for payment of a percentage fee. Specifically included are businesses that charge a percentage fee for cashing a check or negotiable instrument, "payday loan" businesses that make loans upon assignments of wages received, or businesses that function as deferred presentment services.

(9) **"Condominium"** see definition under "Dwelling types".

(10) **"Condominium development"** means a condominium property in which two or more individual dwelling units, together with undivided interests in the common areas and facilities of the property, are offered for sale pursuant to a common promotional plan.

(11) **"Condominium unit" or "unit"** means a portion of the condominium development designated for separate ownership.

(12) **"Development area"** means the parcel or parcels upon which the entire attached single-family complex will be developed as a condominium development.

(13) **"Double house."** See definitions under "Dwelling types."

(14) **"Drive-through facility."** Any portion of a building from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transactions. The term "drive-through" shall also include "drive-up" and "drive-in" but shall not include Car Wash, Gasoline Station, and Automobile Service Facility.

(15) **"Dwelling unit"** means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

(16) **"Dwelling"** means any building or portion of a building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that is occupied for living purposes.

(17) **"Dwelling types"** means the various structures permitted in this zoning code based on number of dwelling units and lot dimensions required. These include:

(a) **"Apartment house"** means a building arranged or designed to be occupied by three or more families living independently of each other and doing their own cooking upon the premises or by three or more individuals or groups of individuals living independently but having a common heating system and general dining room.

(b) **"Attached single-family dwelling"** means individually owned single-family dwelling units, which are attached to one another by common walls and which have individual heating and plumbing. Each dwelling shall have a permanent parcel number filed with the County Recorder as a condominium development. Attached dwelling units may be townhouses or condominiums, and shall not exceed 8 units in number. Attached single-family dwellings is a term used specifically in the Attached Single-Family District and must be a part of a larger development contained within the ASF District.

(c) **"Condominium"** means real property, portions of which are designated for separate unit ownership by the unit owners and the remainder of which is designated for common ownership by the unit owners.

(d) **"Elevator Apartment House"** means a detached building containing four or more dwelling units, each provided with sleeping area(s), and cooking and bathroom facilities intended for domestic use either by families living independently of each other or by individuals or groups of individuals living independently.

(e) **"Senior Citizens Building"** means a building arranged or designed to be occupied by individuals who are sixty-five years or older. Senior Citizens Buildings shall contain an elevator that accesses each floor of the building and may exceed 2.5 stories.

(f) **"Double house"** means a building or structure that contains single-family dwellings that are situated side-by-side and share fireproof party walls between them, and each of which has a distinct parcel associated with it.

(g) **"Single-family dwelling"** means a detached, private residence containing sleeping and cooking facilities intended for domestic use and in which the occupants live as a single unit.

(h) **“Three-Family Dwelling”** means a residential structure containing three dwelling units occupied by three families living independently of each other. Each dwelling unit shall have one kitchen and not less than one bathroom for each family. Three family dwellings shall occupy one lot and shall have dwelling units that are stacked vertically one on top of the other. Also referred to as a Triplex.

(i) **“Townhouse Development”** is a residential development that consists of three but no more than 8 multilevel homes that are placed side-by-side and that share walls with other homes on one or both sides. Entries are typically placed on the narrow side of the unit and typically face a street or courtyard. The street façades have entrances and avoid garages. Townhouses are situated on individual parcels such that owners of a townhouse own the interior, exterior, and land on which the home sits.

(j) **“Two-family dwelling”** means a residential structure designed for or occupied by two families living independently of each other, each of which contains at least one bathroom and kitchen. Two family dwellings shall occupy one lot and shall have dwelling units that are stacked vertically one on top of the other. Also referred to as a Duplex.

(18) **“Elevator Apartment House.”** See definition under “Dwelling types”.

(19) **“Equipment sales/rental/service.”** Establishments primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, and similar equipment, and the rental of recreational and commercial motor vehicles. This term includes incidental storage, maintenance, and servicing of such equipment.

(20) **“Established grade”** means the elevation of the street curb as fixed by City ordinance.

(21) **“Family Day Care Home, Type B”**, Accessory to an Occupied Dwelling Unit. According to Ohio R.C. 5104.054, any type “B” family day-care home, whether certified or not certified by the County Director of Human Services, shall be considered to be a residential use of property for purposes of zoning and shall be a permitted use in all zoning districts in which residential uses are permitted. A type “B” family day-care home is a permanent residence of the provider where childcare is provided for one to six children and where no more than three children are under two years of age. For the purpose of this definition, any children under six years of age who are related to the provider and who are on the premises of the day-care home shall be counted.

(22) **“Family”** means a single individual living upon the premises as a separate housekeeping unit, or a collective body of persons living together upon the premises as a single housekeeping unit in a domestic relationship based upon birth, marriage or other domestic bond.

(23) **“Flag lot”** means a lot not fronting on or abutting a public road and where access to the public road is by a narrow, private right-of-way access drive. The access drive shall have a minimum width and frontage of not less than ten (10) feet. The staff portion of a flag lot shall not be used in computing lot size for zoning and building purposes.

(24) **“Front yard”** means an open, unoccupied space on the same lot with a building, between the front line of the building and the front line of the lot.

(25) **“Gasoline station (see also automobile service facility).”** An establishment where motor fuels are stored and dispersed into the fuel tanks of motor vehicles by an attendant or by persons other than the station attendant and may include accessory facilities available for the sale of other retail products.

(26) **“Group housing facilities.”** For the purposes of these regulations, the various group housing units permitted in this zoning code are defined as follows:

(a) **“Adult family home.”** A facility that is licensed by the Ohio Department of Health to provide accommodations for not more than five adults and to provide personal care services to these resident adults (typically elderly). Such services may include assistance in daily living activities and self-administration of medicine, and preparation of special diets. Such facility shall present evidence that it meets the certification, licensing, and approval requirements of the appropriate State agency.

(b) **“Adult group home.”** A facility that is licensed by the Ohio Department of Health to provide accommodations for six to not more than 16 adults and to provide personal care services to these resident adults (typically elderly). Such services may include assistance in daily living activities and self-administration of medicine, and preparation of special diets.

(c) **“Residential facility family home.”** A facility licensed by the Ohio Department of Mental Health to provide accommodations to not more than eight mentally retarded or developmentally disabled persons and to provide personal care, supervision, habilitation services and mental health services in a family setting.

i. Prior to a handicapped person commencing residence in a residential facility family home, either the applicant or the placement agency shall certify that the resident is handicapped as defined in 42 U.S.C. § 3602(h) of the Federal regulations.

ii. Such facility shall present evidence that it meets the certification, licensing, and approval requirements of the appropriate State agency.

(d) **“Residential facility group home.”** A facility licensed by the Ohio Department of Mental Health to provide accommodations for nine to not more than 16 mentally retarded or developmentally disabled persons and to provide personal care, supervision, habilitation services and mental health services in a family setting.”

(27) **“Height of a building”** means the vertical distance measured at the centerline of its principal front, from the established grade or from the natural grade if higher than the established grade, to the level of the highest point in the coping of flat roofs or to the deck line of a mansard roof or to the mean height of the highest gable of

a pitched roof or to half the height of a hipped roof. Where no roof beams exist or there are structures wholly or partly above the roof, the height shall be measured to the level of the highest point of the building.

(28) "**Least dimension of a yard**" means the least of the horizontal dimensions of such yard. If two opposite sides of a yard are not parallel, the horizontal dimensions between them shall be deemed to be the mean distance between them.

(29) "**Lot**" means a single contiguous tract or parcel of land as shown by properly recorded records on file in the office of the Recorder of Cuyahoga County, Ohio.

(30) "**Major repair facility for motor vehicles.**" An establishment providing the repair rebuilding or reconstruction of motor vehicles or parts thereof, including the rebuilding of motor vehicles bodies by the replacement, smoothing, sanding or painting of the exterior surfaces of such vehicles within a completely enclosed building.

(31) "**Marijuana.**" Marihuana as defined in Ohio R.C. 3719.01.

(32) "**Medical marijuana.**" Marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose as defined in Ohio R.C. 3796.01(A)(2).

(33) "**Natural grade**" means the elevation of the undisturbed natural surface of the ground adjoining the building.

(34) "**Nonconforming use**" means one that does not comply with the regulations of the use district in which it is situated.

(35) "**Open space**" means an area substantially open to the sky which shall be on the same lot with a building. The area may include, along with natural environmental features, water areas, swimming pools, tennis courts, golf courses and other recreational uses and distances between buildings on the same lot deemed permissible by the City Planning and Zoning Commission and Council. Streets, parking areas, structures for habitation, etc., shall not be considered open space.

(36) "**Outdoor display/sales.**" Merchandise placed in an outdoor area that is open to the general public, when the merchandise on display is removed from its shipping packaging and is representative of merchandise that is available for purchase inside the building and/or is available for purchase by the general public directly from the display area.

(37) "**Outdoor storage of fleet vehicles.**" The outdoor storage of cars, trucks, vans, and other vehicles, including motorized equipment on the same lot as a retail, commercial, industrial or other principal use and which are used as part of the operation of such principal use, but not including privately owned customer or employee vehicles.

(38) "**Outdoor storage.**" The storage of goods, materials, merchandise or vehicles in an area outside of a building or structure except for merchandise placed in an area for outdoor display.

(39) "**Pawn shop.**" A building or portion thereof where personal property is received and for which money is advanced, with the right of privilege granted to the person to whom said money is advanced to reclaim such property upon repayment of said money, together with all legal charges incident thereto.

(40) "**Personal service establishment.**" An establishment providing services that are of a recurring and personal nature to individuals. This term includes, but is not limited to, a barber shop, beauty salon, shoe repair shop, seamstress, tailor, fortune teller, tanning salon, and massage establishment. This term does not include a portrait studio, dry cleaning establishment, laundromat, photocopy center, health club or repair shop for household items.

(41) "**Planning and Zoning Code**" means Part Thirteen of these Codified Ordinances comprising Titles One through Eleven.

(42) "**Public notice**" is information alerting citizens of government or government-related activities. When used in reference to a hearing before the Planning and Zoning Commission, public notice shall mean fifteen days, when used in reference to a hearing before Council, public notice shall mean thirty days.

(43) "**Rear yard**" means an open, unoccupied space on the same lot with a building, between the rear line of the building and the rear line of the lot.

(44) "**Residential facility family home.**" See definition under "Group Housing."

(45) "**Residential facility group home.**" See definition under "Group Housing."

(46) "**Retail establishment.**" An establishment engaged in the selling or renting of goods or merchandise to the general public for personal or household consumption, and rendering services incidental to the sale of such products. Such an establishment is open to the general public during regular business hours and has display areas that are designed and laid out to attract the general public. In determining a use to be a retail use, the proportion of display area vs. storage area and the proportion of the building facade devoted to display windows may be considered. This term does not include any adult entertainment uses. This term includes, but is not limited to, artist's studios, portrait studios, and bakeries.

(47) "**Rooming house**" or "**furnished room house**" means a building or part thereof, not a hotel or inn, in which sleeping rooms are available for hire as lodging with or without meals. Where equipment for cooking or provisions for the same are included in a sleeping room, such room shall be deemed to be a dwelling unit.

(48) "**Senior Citizens Building.**" See definition under "Dwelling types".

(49) "**Side yard**" means an open, unoccupied space, on the same lot with a building, situated between the building and the side line of the lot and extending through from the street or from the front yard to the rear yard or to the rear line of the lot. Any lot line not a rear line or a front line shall be deemed a side line.

(50) "**Single-family dwelling.**" See definition under "Dwelling types."

(51) "**Street line**" means the dividing line between the street and the lot.

(52) **"Sweepstakes terminal café."** Parking shall be provided in compliance with Section 1389.04 for the sweepstakes terminal café, in addition to the required parking for all main uses of the premises. Applicants for multi-tenant properties shall supply a parking site plan demonstrating compliance with the requirements of Chapter 1389 of the Euclid Codified Ordinances as well as a parking site plan for the sweepstakes terminal café use, except that sweepstakes terminal café accessory use premises of less than 10% of the floor area of the main use of the premises shall not require parking spaces in excess of the parking required for the main use of the premises. The exterior property of sweepstakes terminal café main use premises shall, as much as practical, be brought into compliance with applicable requirements for fencing, landscaping, and parking layout as required for a change of use.

(53) **"Tattoo parlor" or "branding parlor."** A building or portion thereof where the tattooing or branding of human body parts is administered or from which a tattooing or branding business or service is operated.

(54) **"Three-Family Dwelling."** See definition under "Dwelling types".

(55) **"Townhouse Development."** See definition under "Dwelling types".

(56) **"Two-family dwelling."** See definition under "Dwelling types".

(57) **"Zoning Code"** means Ordinance 2812, as amended, which comprises Titles Five through Eleven of the Planning and Zoning Code.

(58) **"Zoning Lot"** means any lot or set of lots, which are under common ownership and are used by the Zoning Commissioner, Building Commissioner or City Engineer in the review and approval of construction permits or certificates of occupancy as required by the Euclid Codified Ordinances shall constitute a zoning lot. This set of lots is to contain all land needed to provide for conformity with required yard areas, open spaces, open perimeter and fire access requirements, parking, landscaping, storm water retention and treatment areas or other structures needed to ensure that a building or legal occupancy conforms with the Euclid Codified Ordinances.

(59) **"Zoning Ordinance"** means Ordinance 2812, adopted November 13, 1922.

CHAPTER 1352

U1 and U2 Residential Districts

1352.01 Residential Districts.

1352.02 Definitions.

1352.03 Compliance Required.

1352.04 Principally Permitted and Conditional Uses.

1352.05 Accessory Uses and Structures.

1352.06 Height Requirements.

1352.07 Lot Area and Lot Width Requirements.

1352.08 Front Yard Setback Requirements.

1352.09 Side Yard Setback Requirements.

1352.10 Rear Yard Setback Requirements.

1352.11 Minimum Residential Floor Area.

1352.01 RESIDENTIAL DISTRICTS.

(a) This chapter establishes regulations for lower-density residential districts, which include the following:

(1) U1 Residential District

(2) U2 Residential District

(b) Where district regulations contained in this Chapter differ from those elsewhere in this zoning ordinance or those indicated on the Zone Map, the regulations set forth in this Chapter shall prevail.

1352.02 DEFINITIONS.

Section 1311.01 and Chapter 1321 of this zoning code should be referenced. Words herein not specifically defined in Section 1311.01 and Chapter 1321 are to be construed in their customary sense.

1352.03 COMPLIANCE REQUIRED.

In U1 and U2 Districts, no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, except as provided in this Chapter.

1352.04 PRINCIPALLY PERMITTED AND CONDITIONAL USES.

(a) The uses permitted in the U1 and U2 Residential Districts are indicated in Table 1352.04, with a 'P' indicating a Permitted Use and a 'C' indicating a Conditional Use. A blank cell indicates that a use is prohibited. All other uses not listed in Table 1352.04 shall be considered prohibited. See Chapter 1368 for additional information involving conditional use procedures and regulations.

| Table 1352.04 | U1 | U2 |
|------------------------|----|----|
| Residential | | |
| Single-family dwelling | P | P |
| Two-family dwelling | P | P |
| Double house dwelling | P | P |
| Three-family dwelling | | P |

| | | |
|--|---|---|
| Townhouse development ^(c) | | C |
| Group Housing Facilities ^{(a), (b)} | | |
| Adult family home | P | P |
| Residential facility family home | P | P |
| Other & Institutional | | |
| Public parks, not including amusement parks | P | P |
| The raising of crops or nurseries, but not including any commercial greenhouses | P | P |
| Public and private elementary, secondary and high school; ^(c) | C | C |
| Public library ^(c) | C | C |
| Churches/religious assembly ^(c) | C | C |
| ^(a) Must comply with all applicable State and Federal Laws and Regulations. | | |
| ^(b) See additional regulations contained in this Chapter. | | |
| ^(c) See additional regulations regarding conditional uses in Chapter 1368. | | |

(b) Group Housing Facilities.

- (1) Definitions for "Adult family home" and "Residential facility family home" are contained in Chapter 1321.
- (2) Prior to a handicapped person commencing residence in a residential facility family home, either the applicant or the placement agency shall certify that the resident is handicapped as defined in 42 U.S.C. § 3602(h) of the Federal regulations.
- (3) Such facility shall present evidence that it meets the certification, licensing, and approval requirements of the appropriate State agency, if any.

1352.05 ACCESSORY USES AND STRUCTURES.

- (a) See Chapters 1377, 1385, and 1388 for regulations pertaining to accessory uses in residential districts.
- (b) In addition, the following accessory uses are permitted in the U1 and U2 Districts:
 - (1) Family Day Care Home, Type B, shall be a permitted accessory use to an occupied single-family dwelling unit.
 - A. According to Ohio R.C. 5104.054, any type "B" family day-care home, whether certified or not certified by the County Director of Human Services, shall be considered to be a residential use of property for purposes of zoning and shall be a permitted use in all zoning districts in which residential uses are permitted. A type "B" family day-care home is a permanent residence of the provider where child care is provided for one to six children and where no more than three children are under two years of age. For the purpose of this definition, any children under six years of age who are related to the provider and who are on the premises of the day-care home shall be counted.
 - B. Family Day Care Home, Type B, shall conform to regulations and standards for single-family dwellings set forth in this Chapter.
 - (2) A day care center located in an approved religious assembly or school facility is considered an accessory use that requires approval by the Planning Commission and shall conform to additional regulations set forth in Chapters 1368 and 1377.

1352.06 HEIGHT REQUIREMENTS.

- (a) In the U1 and U2 Districts, all single-family, single-family attached, and two-family dwellings shall not be in excess of two and one-half stories or thirty-five feet in height.
- (b) In the U2 District, all three-family dwellings shall not be in excess of three stories or forty feet in height.
- (c) In the U1 and U2 Districts, a church, school or library building shall not be in excess of four stories or fifty feet in height.
- (d) All other principal buildings in the U1 and U2 Districts shall not be in excess of two and one-half stories or thirty-five feet in height.
- (e) See Section 1379.02 for exceptions to height requirements in the U1 and U2 Districts.

1352.07 LOT AREA AND LOT WIDTH REQUIREMENTS.

- (a) In U1 and U2 Residential Districts all lots shall conform to the minimum lot area and width requirements set forth in Table 1352.07.

Table 1352.07

| | U1 | | U2 | |
|---------------------------------------|----------|-----------|----------|-----------|
| | Lot Area | Lot Width | Lot Area | Lot Width |
| Residential | | | | |
| Single-family dwelling ^(a) | 5,000 sf | 40 ft | 4,000 sf | 35 ft |
| Two-family dwelling | 5,000 sf | 40 ft | 4,000 sf | 35 ft |
| Double house dwelling | 5,000 sf | 40 ft | 4,000 sf | 40 ft |
| Three-family dwelling | N/A | N/A | 5,000 sf | 45 ft |

| | | | | |
|--|-----|-----|--------------------|-------------------------|
| Townhouse Development | N/A | N/A | 1,800 sf/du (d) | 18 ft/du ^(d) |
| Group Housing Facilities | | | | |
| Adult family home ^{(b), (c)} | | | | |
| Residential facility family home ^{(b), (c)} | | | | |
| Other & Institutional | | | | |
| Public parks, not including amusement parks | — | — | — | — |
| The raising of crops or nurseries, but not including any commercial greenhouses | — | — | — | — |
| Public and private elementary, secondary, and high school ^(d) | | | | |
| Public library ^(d) | | | | |
| Churches/religious assembly ^(d) | | | | |
| <p>^(a) See additional regulations contained within this section.</p> <p>^(b) Area and width shall meet requirements for single-family dwellings.</p> <p>^(c) Must comply with all applicable State and Federal Laws and Regulations.</p> <p>^(d) See Conditional Use Regulations in Chapter 1368.</p> | | | | |

- (b) Lot Area shall mean useable interior area of a lot or parcel.
- (1) Minimum lot area shall conform to Table 1352.07, unless the lot is a corner lot, in which case minimum lot size shall be 4,000 square feet in U1, and 3,200 square feet in U2.
 - (2) However, in computing area of the lot for the purpose of this Section, any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.
- (c) For any lot separately owned at the time of the passage of the Zoning Ordinance or on any numbered lot in a recorded subdivision that is on record in the office of the County Recorder at the time of the passage of this Zoning Ordinance, a permitted structure may be erected, even if said lot does not meet minimum lot size and width requirements provided proposed structures meet all other setback regulations.
- (d) Townhouses and townhouse developments.
- (1) Townhouse developments shall conform to necessary regulations set forth in Chapter 1368.
 - (2) Each townhouse shall be situated on its own parcel which shall have a width of at least eighteen (18) feet. The minimum parcel size for each townhouse shall conform to the requirements set forth in Table 1352.07.
 - (3) Townhouses must be constructed as part of a townhouse development which includes three (3) or more individual townhouses. The minimum project dimensions for a townhouse development are: Minimum width = 69 feet; Minimum Area = 6,900 square feet.
- (e) Flag lots or Rear Residential Dwellings. In U1 and U2 Districts, every dwelling shall have access to a public street and if located in the rear of other buildings with no immediate street frontage, an easement for access shall be provided over an unoccupied strip of land at least ten (10) feet in width, and such reserved strip may not form a part of any yard or lot areas required by this Zoning Code.
- (1) If the dwelling is an accessory dwelling structure, sharing the same lot or parcel as a lot or parcel fronting a street, the access easement shall be recorded with the city on the parcel map and descriptions.
 - (2) If the dwelling is to be located on a separate lot or parcel behind one fronting the street, the creation of this "flag lot" must go before the Planning Commission for review and approval.
- (f) See also Supplemental Area Regulations contained in Chapter 1381.

1352.08 FRONT YARD SETBACK REQUIREMENTS.

- (a) The front setback, or building line in the U1 and U2 Districts shall conform to the following, such that when a lot is located on the street indicated, no building shall be erected closer to the street right-of-way than indicated:

Table 1352.08

| | U1 and U2 |
|---|-----------|
| Euclid Ave. ^{(a), (b)} | 30 ft |
| Lake Shore Blvd. ^{(a), (b)} | 30 ft |
| E. 185 th St. ^{(a), (b)} | 14 ft |
| <p>^(a) Unless the average of the adjacent front yard setbacks is less, in which case residential development shall conform to that average.</p> <p>^(b) Unless proposed residential development is a Townhouse Development, in which case a smaller front yard setback may be proposed, to be approved by the City Planning and Zoning Commission.</p> | |

- (b) All other streets:
- (1) On streets where permitted residential development has occurred, the front yard setback shall be the median of front setbacks on the subject property's respective side of the block street, or the average of

the adjacent front yard setbacks, whichever is larger. However, in all instances the front yard setback shall be no less than 20 feet.

- (2) On streets where permitted residential development has not occurred or no building line has been established, the front yard setback or building line shall be 30 feet.
- (c) Regulations for uses and accessory uses in front yards are set forth in Chapter 1385.

1352.09 SIDE YARD SETBACK REQUIREMENTS.

- (a) All dwellings in U1 and U2 Districts shall have a side yard along each lot line other than a front line or rear line.
- (b) Each single-family dwelling, two-family dwelling, and three-family dwelling shall be deemed a separate building and shall have side yards.
- (c) Requirements for side yards in U1 and U2 Residential Districts are as follows:

Table 1352.09

| | Lots 50 ft or less in width | | Lots greater than 50 ft | |
|--|------------------------------|---------------------------|------------------------------|---------------------------|
| | Minimum Side Yard (one side) | Total Combined Side Yards | Minimum Side Yard (one side) | Total Combined Side Yards |
| Residential | | | | |
| Single-family, Two-family dwelling | 3 ft | 10 ft | 5 ft | 15 ft |
| Double-house dwelling ^(a) | 3 ft | 15 ft | 5 ft | 15 ft |
| Three-family dwelling | 3 ft | 10 ft | 5 ft | 15 ft |
| Townhouse development ^(a) | 3 ft | 15 ft | 5 ft | 15 ft |
| Group Housing Facilities | | | | |
| Adult family home ^(b) | 3 ft | 10 ft | 5 ft | 15 ft |
| Residential facility family home ^(b) | 3 ft | 10 ft | 5 ft | 15 ft |
| Other & Institutional | | | | |
| Public parks, not including amusement parks | 5 ft | 10 ft | 5 ft | 10 ft |
| The raising of crops or nurseries, but not including any commercial greenhouses | 5 ft | 10 ft | 5 ft | 10 ft |
| Public and private elementary, secondary, and high school ^(c) | | | | |
| Public library ^(c) | | | | |
| Churches/religious assembly ^(c) | | | | |
| ^(a) See additional regulations in this Chapter. | | | | |
| ^(b) Must comply with all applicable State and Federal Laws and Regulations. | | | | |
| ^(c) See Conditional Use Regulations in Chapter 1368. | | | | |

- (d) Exceptions. All attached side-by-side dwellings, including single-family attached dwellings, double houses, or townhouses can be considered a single building such that the side of the lot where the dwelling units are attached shall not be required to have a side yard.

1352.10 REAR YARD SETBACK REQUIREMENTS.

- (a) Every building in the U1 and U2 Districts shall have a rear yard.
- (b) All rear yards shall be at least fifteen feet or one-half the height of the building, whichever is larger, but need not be more than forty feet in depth.
- (c) Accessory Structures in Rear Yards.
- (1) Forty percent of the area of such yard may be occupied by one accessory building not more than fifteen feet in height. However, on a corner lot, the rear line of which is identical with the side line of an interior lot, no such accessory building, if detached from the main building, shall be erected within twenty feet of any street line or within ten feet of the rear lot line.
- (2) There shall be a minimum of ten feet between a dwelling and an accessory building.

1352.11 MINIMUM RESIDENTIAL FLOOR AREA.

- (a) All residential structures in the U1 and U2 Districts shall be constructed to have a minimum livable floor area, excluding basement and utility room areas, based on the table set forth below:

Table 1352.11

| | Minimum Floor Area | |
|--|----------------------------------|------------------------------|
| | Lots 10,000 square feet and less | Lots over 10,000 square feet |
| Single-family, Two-family, Three-family dwelling | 1,250 sf/structure | 1,500 sf/structure |
| Double-house dwelling and Townhouse | 650 sf/unit | 750 sf/unit |

- (b) The above floor area requirement shall not apply in the Attached Single-Family Districts or to single-family dwelling units approved under the terms of a residential planned development per Section 1365.06 of the Euclid Zoning Code.

CHAPTER 1354

U3 Multiple Family Residential District

- 1354.01 Multi-Family Residential District.
- 1354.02 Definitions.
- 1354.03 Compliance Required.
- 1354.04 Principally Permitted and Conditional Uses.
- 1354.05 Accessory Uses and Structures.
- 1354.06 Height Requirements.
- 1354.07 Lot Area and Lot Width Requirements.
- 1354.08 Front Yard Setback Requirements.
- 1354.09 Side and Rear Yard Setback Requirements.
- 1354.10 Additional Apartment Building Setback Requirements.
- 1354.11 Minimum Floor Area.
- 1354.12 Landscaped Areas and Lot Coverage.

1354.01 MULTI-FAMILY RESIDENTIAL DISTRICT.

- (a) This chapter establishes regulations for the higher-density residential U3 Multiple Family (Multi-Family) Residential District.
- (b) Where district regulations contained in this Chapter differ from those elsewhere in this zoning ordinance or those indicated on the Zone Map, the regulations set forth in this Chapter shall prevail.

1354.02 DEFINITIONS.

Section 1311.01 and Chapter 1321 of this zoning code should be referenced. Words herein not specifically defined in Section 1311.01 and Chapter 1321 are to be construed in their customary sense.

1354.03 COMPLIANCE REQUIRED.

- (a) All buildings and structures erected and used in the U3 District shall conform to regulations set forth in this Chapter.

1354.04 PRINCIPALLY PERMITTED AND CONDITIONAL USES.

- (a) All uses permitted in the U2 Residential District as established in Table 1352.04 shall also be permitted in the U3 Multi-Family District.
- (b) All conditional uses in the U2 Residential District as established in Table 1352.04 shall also be conditionally permitted in the U3 Multi-Family District, unless otherwise indicated in Table 1354.04.
- (c) Additional uses permitted in the U3 Multi-Family District are indicated in Table 1354.04, with a 'P' indicating a Permitted Use and a 'C' indicating a Conditional Use. A blank cell indicates that a use is prohibited. All other uses not listed in Table 1354.04 shall be considered prohibited.

Table 1354.04

| | U3 |
|---|----|
| Residential | |
| Apartment house | P |
| Elevator apartment house | C |
| Group Housing Facilities (a), (b) | |
| Adult group homes (a), (b) | P |
| Residential facility group homes (a), (b) | P |
| Other & Institutional | |
| Public and private elementary, secondary, and high schools (c) | C |
| Public library (c) | C |
| Churches/religious assembly (c) | C |
| (a) See additional regulations in this Chapter. | |
| (b) Shall conform to all applicable State and Federal laws and regulations. | |
| (c) See Conditional Use Regulations in Chapter 1368. | |

- (d) Group Housing Facilities. The specific regulations for group housing units, limited to adult group homes and residential facility group homes, shall be as follows:
- (1) Definitions for "Adult group home" and "Residential facility group home" are contained in Chapter 1321.
 - (2) Prior to a handicapped person commencing residence in a residential facility group home, either the applicant or the placement agency shall certify that the resident is handicapped as defined in 42 U.S.C. § 3602(h) of the Federal regulations.

- (3) The group housing unit shall present evidence that it meets the certification, licensing, and approval requirements of the appropriate State agency and shall retain the required license from the appropriate State department at all times. Failure to do so shall be a violation of this Planning and Zoning Code.
- (4) The architectural design and site layout of the group housing unit and the height of any walls, screens, or fences connected with any said group home shall be compatible with adjoining land uses and the residential character of the neighborhood.
- (5) The applicant shall demonstrate that adequate qualified supervision will exist in the home on a 24-hour per day basis.
- (6) No group housing unit shall be located within 500 feet of another group housing unit. Separation distances are measured from property line to property line by the shortest distance.
- (7) The group housing unit shall meet local fire safety and building code requirements for the proposed use and level of occupancy.
- (8) Signs or other means of identifying a group housing unit shall not be permitted.

1354.05 ACCESSORY USES AND STRUCTURES.

- (a) See Chapters 1377, 1385, and 1388 for regulations pertaining to accessory uses in residential districts.
- (b) All accessory uses permitted in the U1 and U2 Residential Districts shall be permitted in the U3 Multi-Family District.
- (c) In addition, the following accessory uses are permitted in the U3 District:
 - (1) A community center building accessory to an apartment house or complex and serving only the residents of the apartment house or complex.

1354.06 HEIGHT REQUIREMENTS.

- (a) All buildings in the U3 District shall conform to the following:
 - (1) Notwithstanding any other provisions of this chapter for an apartment house building, the maximum height shall be limited to thirty-five feet.
 - (2) Elevator apartment house buildings shall be no more than 200 feet but shall not be less than fifty (50) feet in height, excluding accessory structures on roofs.
 - (3) All other buildings shall be no more than 4 stories or fifty (50) feet.
- (b) See Section 1379.02 for exceptions to height requirements in the U3 District.

1354.07 LOT AREA AND LOT WIDTH REQUIREMENTS.

- (a) In the U3 Multi-family District, all principally permitted and conditional uses in the U2 District shall comply with regulations set forth in Chapter 1352.
- (b) In the U3 Multi-family District, all principally permitted and conditional uses all lots shall conform to the minimum lot area and width requirements set forth in Table 1354.07.

Table 1354.07

| | Lot Area | Lot Width |
|---|-------------------|-----------|
| Residential | | |
| Apartment house ^(a) | 2,500 sf/du | 100 ft |
| Elevator apartment house | 700 sf/du | 100 ft |
| Group Housing Facilities | | |
| Adult group homes ^{(a), (b), (c)} | | |
| Residential facility group homes ^{(a), (c)} | | |
| Institutional & Other | See Table 1352.07 | |
| All other uses: | See Table 1352.07 | |
| ^(a) See additional regulations in this Chapter. ^(b) Area and width shall meet requirements for apartment houses. ^(c) Must comply with all applicable State and Federal Laws and Regulations. | | |

- (c) Lot Area shall mean useable interior area of a lot or parcel.
- (d) Notwithstanding the requirements set forth in other sections of this Chapter, in the development of an apartment house or elevator apartment house project of two or more buildings, the creation of a single subplot for each building shall not be required, although the project may be held to subdivision regulations contained within this Zoning Code if the development project meets the definition of a subdivision.
- (e) Apartment Houses:
 - (1) Minimum lot area shall conform to table 1354.07, unless the lot is a corner lot, in which case minimum lot area shall be 2,000 square feet per dwelling unit.
 - (2) However, in computing area of the lot for the purpose of this Section, any part of the area of any corner lot in excess of 8,000 square feet shall be considered an interior lot.
- (f) Flag lots or Rear Residential Dwellings. In the U3 District, every lot shall have access to a public street and if located in the rear of other buildings with no immediate street frontage, an easement for access shall be provided over an unoccupied strip of land at least ten (10) feet in width, and such reserved strip may not form a part of any yard or lot areas required by this Zoning Code.

- (1) If the dwelling is an accessory dwelling structure, sharing the same lot or parcel as a lot or parcel fronting a street, the access easement shall be recorded with the city on the parcel map and descriptions.
- (2) If the dwelling is to be located on a separate lot or parcel behind one fronting the street, the creation of this "flag lot" must go before the Planning and Zoning Commission for review and approval.
- (g) See also Supplemental Area Regulations contained in Chapter 1381.

1354.08 FRONT YARD SETBACK REQUIREMENTS.

- (a) Where a building line is shown on the Zone Map as an existing alignment line, the alignment of the buildings existing along such frontage shall determine the building line.
- (b) The front setback or building line in the U3 District shall conform to the following, such that when a lot is located on the street indicated, no building shall be erected closer to the street right-of-way than indicated:

Table 1354.08

| | |
|--|-------|
| Euclid Ave. (a), (b) | 30 ft |
| Lake Shore Blvd. (a), (b) | 30 ft |
| E. 185 th St. (a), (b) | 14 ft |
| Tungsten Rd. from Chardon Rd. to E. 222 nd St. (a) | 30 ft |
| South side of St. Clair Ave. from E. 200 th St. to E. 222 nd St. (b) | 30 ft |
| (a) Unless the average of the adjacent front yard setbacks is less, in which case residential development shall conform to that average. | |
| (b) Unless proposed residential development is a Townhouse Development, in which case a smaller front yard setback may be proposed, to be approved by the City Planning and Zoning Commission. | |

- (c) On any street frontage other than Euclid Avenue or Lake Shore Boulevard in the U3 District, where permitted residential development has not occurred or no building line has been established, the front yard setback or building line shall be 30 feet.
- (d) Additional regulations regarding front yards and accessory uses in front yards are set forth in Sections 1354.09 and 1354.11.

1354.09 SIDE AND REAR YARD SETBACK REQUIREMENTS.

- (a) All buildings in the U3 District shall have a side yard along each lot line other than a front line or rear line.
- (b) Apartment Houses and Elevator Apartment Houses shall have a side yard setback of 10% of the average lot width on both sides, or at least twelve feet, whichever is larger.
 - (1) Notwithstanding the requirements set forth in other sections of this chapter, in the development of an apartment house project of one or more buildings, the yards between buildings or parts of the same building and the yards between any building and a side or rear lot line shall be designed and constructed in accordance with yard regulations set forth in Section 1354.10.
- (c) Other uses permitted in the U3 Multi-Family District shall have side and rear yards which conform to regulations set forth in Section 1352.09 and 1352.10.
- (d) Side and rear yard exceptions.
 - (a) The area required in a side or rear yard shall be open to the sky from the established grade or from the natural grade. Such area shall be unobstructed except for the ordinary projections of window sills, belt courses, cornices and other ornamental features to the extent of not more than eighteen inches, except that, within five feet of the street wall, a cornice may project not over three feet into such yard, and provided that if the building is not over two and one-half stories in height, the cornice may project not more than two and one-half feet into such yard.
 - (b) A building and any accessory building erected on the same lot shall, for the purpose of side and rear requirements, be considered as a single building.

1354.10 ADDITIONAL APARTMENT BUILDING SETBACK REQUIREMENTS.

In order to encourage greater flexibility in design and more attractive arrangements of buildings and greater utilization of open spaces, yard regulations for apartment house buildings are hereby established. The yards of apartment house buildings shall be related to the space within the dwelling units as well as the yards. Buildings shall be arranged so as to assure privacy between adjacent buildings and intersecting wings of buildings, from streets and parking and recreation areas in accordance with the following:

- (a) Minimum Distance Between Facing and Overlapping Buildings. The minimum distance(s) between any two apartment house buildings or parts thereof in a development area will vary according to the length (L) and height (H) of buildings. Such minimum distance(s) shall be determined by the formula: **Minimum Distance(s) = (LA + LB + HA + HB)/ f**. With the elements of such formula being defined as follows:
 - (1) Minimum Distance(s) means the required minimum horizontal distance between any wall of building A and the nearest wall of building B or the vertical prolongation of either.

- (2) "LA" means the total length of building A which, for the purposes of the formula, is defined as the length of the portion or portions of any wall or walls of building A from which lines drawn perpendicular to the face of such wall or walls will intersect any wall of building B.
 - (3) "LB" means the total length of building B which, for the purposes of the formula, is defined as the length of the portion or portions of any wall or walls of building B from which lines drawn perpendicular to the face of such wall or walls will intersect any wall of building A.
 - (4) "HA" means the height of building A.
 - (5) "HB" means the height of building B.
 - (6) "f" means the division factor, which shall be: 5 for an apartment house, U3 District; and U3EL Districts.
 - (7) The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.
- (b) Minimum Distance in Oblique and Angular Building Arrangements. The minimum distance(s) in such arrangements are determined by the formula: **Minimum Distance(s) = (LA 1 + LA 2 + LB + HA + HB)/f**. With the elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.
 - (c) Minimum Distance Between Nonoverlapping Walls. Where walls of two buildings do not directly face each other or do not overlap, i.e. where lines drawn perpendicular from the face of any wall of one building will not intersect the face of any wall of another building, the minimum horizontal distance between such buildings shall not be less than one-half of the combined height of the two buildings. Such minimum distance(s) shall be determined by the formula: **Minimum Distance(s) =(HA + HA)/2**, with the elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.
 - (d) Minimum Distance Between Walls of Court Arrangements. In arrangements where two or more buildings are connected by a common entranceway of two stories or less, the entire length of the principal buildings shall be used to determine the length (L) factor. The minimum distance(s) shall be determined by applying the formula set forth in subsection (a) hereof.
 - (1) In arrangements of parallel walls with offset sections, the distance between the section of walls shall be derived from such formula and shall be measured as the average distance, provided that the minimum distance(s) between any two facing sections shall be not less than sixty feet. The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.
 - (2) In U-shaped arrangements the minimum distance(s) between the parallel walls (A and B) facing the court are determined by the formula: **Minimum Distance(s) = (2(LA + LB) + HA + HB)/f**, with the distance(s) between any two facing sections shall be not less than sixty feet. The elements of the formula are shown on the illustrations following subsection (h) hereof and defined above.
 - (3) In H-shaped arrangements the minimum distance(s) between the parallel buildings as indicated by the measurement of walls LA and LB facing the court are determined by the formula: **Minimum Distance(s) = (LA + LA' + LB + LB' + HA + HB)/ f**, with the minimum distance(s) between any two facing sections shall be not less than sixty feet. The elements of the formula are shown on the illustrations following subsection (h) hereof and as defined above.
 - (e) Minimum Distance Between Buildings and Side or Rear Lot Lines. The minimum distance(s) between any apartment building or parts thereof in a development area and any side or rear line of such development area shall vary according to the length and height of the building. Such minimum distance(s) shall be determined by the following formulas:
 - (1) Where land zoned U3 abuts U1 or U2 Districts: **Minimum Distance(s) = (A + L + H)/f**
 - (2) Where land zoned U3 abuts all other zoned uses: **Minimum Distance(s) = (A + L + H)/2f**
 - (3) The elements of such formula being described as follows:
 - A. A =twenty feet where the (L) is less than fifty feet and the (H) is less than thirty-five feet. In all other cases "A" shall be fifty feet.
 - B. L =length of the property line in feet measured between perpendicular lines to the property line where such perpendiculars touch the extreme ends of the building.
 - C. H =height of building in feet.
 - D. f =division factor from the schedules below:
 - (1) Buildings whose length (L) is up to 100 feet and:
 - (a) the height (H) is up to 50 feet F = 5
 - (b) the height (H) is 50.1 to 100 feet F = 3
 - (c) the height (H) is 100.1 to 150 feet F = 2
 - (d) the height (H) is 150.1 and up F = 1.5
 - (2) Buildings whose length (L) is from 100.1 feet to 250 feet and:
 - (a) the height (H) is up to 50 feet F = 3.5
 - (b) the height is from 50.1 feet to 100 feet F = 2.5
 - (c) the height (H) is from 100.1 and up F = 1.5
 - (3) Buildings whose length (L) is 250.1 feet or more and:
 - (a) the height (H) is up to 50 feet F = 2.5
 - (b) the height (H) is from 50.1 to 100 feet F = 1.5
 - (c) the height (H) is from 100.1 feet and up F = 1
 - (f) When computing the setback formula for buildings of more than one wing, all wings that are within fifteen degrees of being perpendicular to the property line shall be considered as a separate building for

measurement purposes. All attached wings that are not within fifteen degrees of the perpendicular to the property line shall be considered as one continuous building and the entire length between perpendicular lines to the property line shall be used for determining the length requirement of the formula.

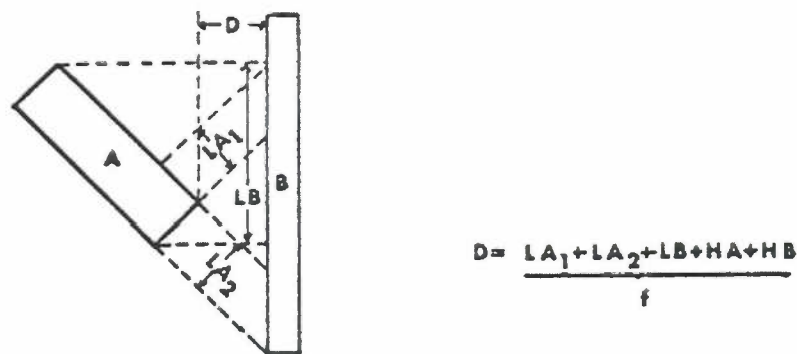
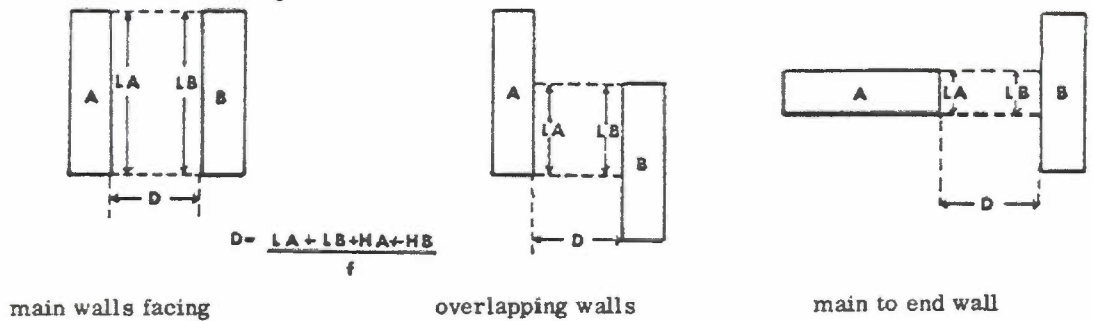
- (g) The required setback shall be measured from the wall plane or point that is the closest to the property line.
- (h) Distances From Main Building to Accessory Uses. The minimum distance(s) from any apartment house building to parking areas, driveways, walks and recreation areas to the development area boundaries, as set forth in this subsection, are desirable criteria to be applied in the site planning.

Table 1354.10

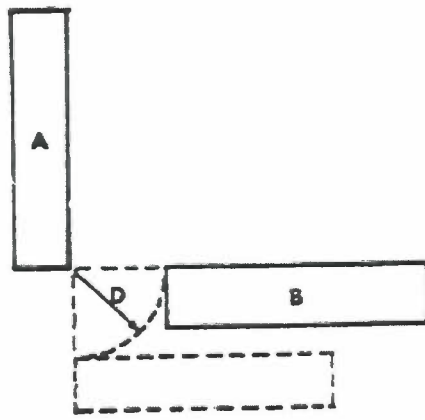
| Accessory Use | From Apartment Buildings | | From Boundary Lines (feet) |
|---|--------------------------|-----------------|----------------------------|
| | Main Wall (feet) | End Wall (feet) | |
| (1) Parking areas | 10 | 20 | 20 |
| (2) Private streets (except at entrances) | 30 | 30 | 10 |
| (3) Walks (public use) | 15 | 10 | 10 |
| (4) Recreation areas (active play) | 40 | 30 | 15 |

- (i) The minimum distance(s) set forth in the schedule are intended to be applied to:
 - (1) Main wall. Any exterior wall containing the principal windows of a living, dining or sleeping room or rooms;
 - (2) End wall. Any exterior wall, other than a main wall, containing minor windows of a dining or sleeping room, or principal or minor windows of kitchen or bathrooms, or a blank surface;
 - (3) Private streets. At all locations except at the garage entrance or main entrance of the dwelling served;
 - (4) Walks. Used by the public at all locations except at the entrance to the dwelling served; and
 - (5) Recreation areas. Areas used for active play.
- (j) Townhouse Dimensions. A unit of a townhouse shall be not less than eighteen feet in width and any main or longitudinal wall of a sequence of townhouse units shall not exceed 100 feet in length without a ninety degree offset of at least ten feet, and the aggregate length of any wall, including its offsets, shall not exceed 160 feet in length.
- (k) Illustrations of Yard Regulations. The following diagrams, called "Illustrations of Yard Regulations," indicate the regulations and planning criteria as set forth in this section and they are hereby made a part of this Zoning Code.

Subsection "a" Minimum distance between facing and overlapping buildings, provided that no two main facing walls shall be less than 60 feet apart



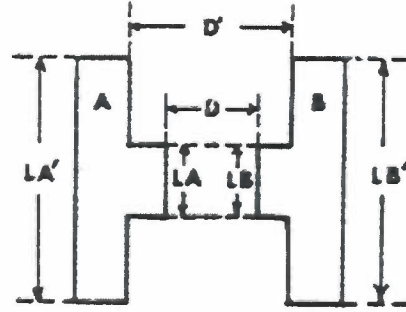
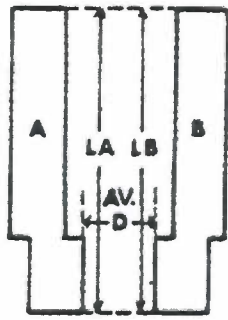
Subsection "b" Minimum distance between oblique facing buildings



$$D = \frac{HA + HB}{2}$$

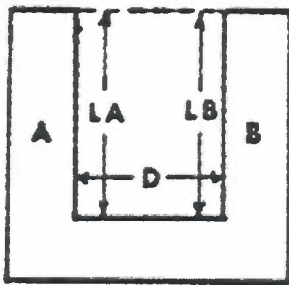
Subsection "c" Minimum distance between non-overlapping walls

Subsection "d" Minimum distance between walls of court arrangements



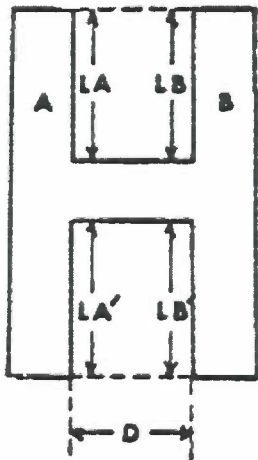
$$D = \frac{LA + LB + HA + HB}{f}$$

U-shaped arrangement



$$D = \frac{2(LA + LB) + HA + HB}{f}$$

H-shaped arrangement



$$D = \frac{LA + LA' + LB + LB' + HA + HB}{f}$$

1354.11 MINIMUM FLOOR AREA.

The minimum floor area in the U3 Multi-Family Districts is as follows.

- (a) The minimum floor area for all uses permitted in the U2 district, as set forth in Section 1352.11 shall remain the same for the U3 District.

- (b) The minimum floor area for apartment houses and elevator apartment houses shall conform to the following table:

Table 1354.11 Minimum Floor Area per Dwelling Unit Based on Number of Bedrooms

| Number of Bedrooms | Square Feet |
|--------------------|-------------|
| 1 | 490 |
| 2 | 640 |
| 3 | 790 |

1354.12 LANDSCAPED AREAS AND LOT COVERAGE.

- (a) The percent of lot to be landscaped shall not be less than as set forth in the following schedule, and the ground floor area of apartment house buildings plus the total ground floor area of all accessory buildings shall not occupy or cover more of the lot than as set forth in the following schedule:

Table 1354.11 Maximum Building Coverage of Lot

| | Minimum Landscaped Area of Lot (Percent) | Apartment Buildings (Percent) | All Buildings With Exposed Roofs (Percent) |
|--------------------------|--|-------------------------------|--|
| Apartment House | 50 | 15 | 20 |
| Elevator Apartment House | 40 | 15 | 30 |

- (b) Landscaped areas shall be construed to be those parts of the lot developed with walks, terraces, play areas and lawns, shrubs or other plantings.
- (c) The building coverage of the lot shall be construed as the total area of the main building or buildings, plus all accessory buildings. The percentage shall be the total area of buildings in ratio to the gross area of the lot expressed as a percentage. The area of all buildings shall be measured at the ground level, except accessory buildings whose roofs do not extend more than four feet above grade.
- (d) Driveways, open parking areas and beach and bluff areas of lakefront lots are to be excluded from the above percentage of lot areas.

Section 3: That Chapters 1321, Definitions, 1351, U1 Single-Family House Districts, U2 Two-Family House Districts, and U3 Apartment House Districts of the Planning and Zoning Code of the Codified Ordinances of the City of Euclid are hereby repealed:

**CHAPTER 1321
Definitions**

- ~~1321.01—Definitions generally.~~
- ~~1321.02—Tenses; plurals; lot; plot; building.~~
- ~~1321.03—Street line.~~
- ~~1321.04—Established grade.~~
- ~~1321.05—Natural grade.~~
- ~~1321.06—Height of a building.~~
- ~~1321.07—Rear yard.~~
- ~~1321.08—Front yard.~~
- ~~1321.09—Side yard.~~
- ~~1321.10—Least dimension of a yard.~~
- ~~1321.11—Lot.~~
- ~~1321.12—Family.~~
- ~~1321.13—Dwelling.~~
- ~~1321.14—Apartment house.~~
- ~~1321.15—Apartment.~~
- ~~1321.16—Single family dwelling.~~
- ~~1321.17—Two family dwelling.~~
- ~~1321.18—Double house.~~
- ~~1321.19—Nonconforming use.~~
- ~~1321.20—Public notice.~~
- ~~1321.21—Accessory use; accessory building.~~
- ~~1321.22—Rooming house; furnished room house.~~
- ~~1321.23—Planning and Zoning Code.~~
- ~~1321.24—Zoning Code.~~
- ~~1321.25—Zoning lot.~~
- ~~1321.26—Zoning Ordinance.~~

1321.01 DEFINITIONS GENERALLY.

—Certain words in this Planning and Zoning Code are defined for purposes of such Code, where the context so indicates as well as where the meaning so requires as provided in this chapter.

1321.02 TENSES, PLURALS, LOT, PLOT, BUILDING.

—Words used in the present tense include the future; the singular number includes the plural and the plural the singular; the word "lot" includes the word "plot" and the word "building" includes the word "structure."

1321.03 STREET LINE.

—“Street line” means the dividing line between the street and the lot.

1321.04 ESTABLISHED GRADE.

—“Established grade” means the elevation of the street curb as fixed by City ordinance.

1321.05 NATURAL GRADE.

—“Natural grade” means the elevation of the undisturbed natural surface of the ground adjoining the building.

1321.06 HEIGHT OF A BUILDING.

—“Height of a building” means the vertical distance measured at the centerline of its principal front, from the established grade or from the natural grade if higher than the established grade, to the level of the highest point in the coping of flat roofs or to the deck line of a mansard roof or to the mean height of the highest gable of a pitched roof or to half the height of a hipped roof. Where no roof beams exist or there are structures wholly or partly above the roof, the height shall be measured to the level of the highest point of the building.

1321.07 REAR YARD.

—“Rear yard” means an open, unoccupied space on the same lot with a building, between the rear line of the building and the rear line of the lot.

1321.08 FRONT YARD.

—“Front yard” means an open, unoccupied space on the same lot with a building, between the front line of the building and the front line of the lot.

1321.09 SIDE YARD.

—“Side yard” means an open, unoccupied space, on the same lot with a building, situated between the building and the side line of the lot and extending through from the street or from the front yard to the rear yard or to the rear line of the lot. Any lot line not a rear line or a front line shall be deemed a side line.

1321.10 LEAST DIMENSION OF A YARD.

—“Least dimension of a yard” means the least of the horizontal dimensions of such yard. If two opposite sides of a yard are not parallel, the horizontal dimensions between them shall be deemed to be the mean distance between them.

1321.11 LOT.

—“Lot” means a single contiguous tract or parcel of land as shown by properly recorded records on file in the office of the Recorder of Cuyahoga County, Ohio.

1321.12 FAMILY.

—“Family” means a single individual living upon the premises as a separate housekeeping unit, or a collective body of persons living together upon the premises as a single housekeeping unit in a domestic relationship based upon birth, marriage or other domestic bond.

1321.13 DWELLING.

—“Dwelling” means a building arranged, intended or designed to be occupied by not more than two families living independently of each other and doing their own cooking upon the premises.

1321.14 APARTMENT HOUSE.

—“Apartment house” means a building arranged or designed to be occupied by three or more families living independently of each other and doing their own cooking upon the premises.

—“Apartment” means a room or suite of rooms in an apartment house, which room or suite is arranged, intended or designed to be occupied as the residence of a single family, individual or group of individuals.

1321.15 APARTMENT.

—“Apartment” means a room or suite of rooms in an apartment house, which room or suite is arranged, intended or designed to be occupied as the residence of a single family, individual or group of individuals.

1321.16 SINGLE-FAMILY DWELLING.

—(a) “Single-family dwelling” means a dwelling either detached or semidetached, arranged, intended or designed to be occupied by a single family.

—(b) A single-family dwelling shall consist of not less than three rooms, a kitchen and a bathroom.

1321.17 TWO-FAMILY DWELLING.

—(a) “Two-family dwelling” means a detached dwelling arranged, intended or designed to be occupied by two families, one of which has its principal living rooms on the first floor and the other of which has its principal living rooms on the second floor.

—(b) A two-family dwelling shall have not less than four living rooms and a bathroom for each family, and shall have a basement containing not less than 700 square feet.

1321.18 DOUBLE HOUSE.

—“Double house” means two-family dwellings with a fireproof party wall between, and each of which conforms to requirements for a single-family dwelling.

1321.19 NONCONFORMING USE.

“Nonconforming use” means one that does not comply with the regulations of the use district in which it is situated.

1321.20 PUBLIC NOTICE.

(a) “Public notice,” when used in reference to a hearing before the Planning and Zoning Commission, means fifteen days;

(b) “Public notice,” when used in reference to a hearing before Council, means thirty days.

1321.21 ACCESSORY USE; ACCESSORY BUILDING.

“Accessory use” or “accessory building” means a use or building customarily incident to and located on the same lot with another use or building.

1321.22 ROOMING HOUSE; FURNISHED ROOM HOUSE.

“Rooming house” or “furnished room house” means a building or part thereof, not a hotel or inn, in which

sleeping rooms are available for hire as lodging with or without meals. Where equipment for cooking or provisions for the same are included in a sleeping room, such room shall be deemed to be a dwelling unit.

1321.23 PLANNING AND ZONING CODE.

“Planning and Zoning Code” means Part Thirteen of these Codified Ordinances comprising Titles One through Eleven.

1321.24 ZONING CODE.

“Zoning Code” means Ordinance 2812, as amended, which comprises Titles Five through Eleven of the Planning and Zoning Code.

1321.25 ZONING LOT.

Any lot or set of lots, which are under common ownership and are used by the Zoning Commissioner, Building Commissioner or City Engineer in the review and approval of construction permits or certificates of occupancy as required by the Euclid Codified Ordinances shall constitute a zoning lot. This set of lots is to contain all land

needed to provide for conformity with required yard areas, open spaces, open perimeter and fire access requirements, parking, landscaping, storm water retention and treatment areas or other structures needed to

insure that a building or legal occupancy conforms with the Euclid Codified Ordinances.

1321.26 ZONING ORDINANCE.

“Zoning Ordinance” means Ordinance 2812, adopted November 13, 1922.

CHAPTER 1351

U1 Single-Family House Districts

1351.01 Compliance required.

1351.02 Permitted uses.

1351.03 Conditional uses.

1351.01 COMPLIANCE REQUIRED.

In a Class U1 District no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, except for a Class U1 use.

1351.02 PERMITTED USES.

The permitted uses in a Class U1 Single-Family House District shall be as follows:

(a) A public park, not including an amusement park;

(b) A single-family dwelling;

(c) The raising of crops or nurseries, but not including any commercial greenhouses;

(d) Group housing units limited to adult family homes and residential family homes. For the purposes of these regulations, the above terms are defined as follows:

(1) “Adult family home.” A facility that is licensed by the Ohio Department of Health to provide

accommodations for not more than five adults and to provide personal care services to these resident adults (typically elderly). Such services may include assistance in daily living activities and self-administration of

medicine, and preparation of special diets. Such facility shall present evidence that it meets the certification, licensing, and approval requirements of the appropriate State agency.

(2) “Residential family home.” A facility licensed by the Ohio Department of Mental Health to provide accommodations to not more than eight mentally retarded or developmentally disabled persons and to provide

personal care, supervision, habilitation services and mental health services in a family setting.

A. Prior to a handicapped person commencing residence in a residential family home, either the applicant or the placement agency shall certify that the resident is handicapped as defined in 42 U.S.C. § 3602(h) of the Federal regulations.

B. Such facility shall present evidence that it meets the certification, licensing, and approval requirements of the appropriate State agency.

(e) Family Day Care Home, Type B, Accessory to an Occupied Dwelling Unit. According to Ohio R.C. 5104.054, any type “B” family day care home, whether certified or not certified by the County Director of Human

Services, shall be considered to be a residential use of property for purposes of zoning and shall be a

permitted use in all zoning districts in which residential uses are permitted. A type “B” family day care home is a permanent residence of the provider where child care is provided for one to six children and where no

more than three

children are under two years of age. For the purpose of this definition, any children under six years of age who are related to the provider and who are on the premises of the day care home shall be counted.

~~1351.03 CONDITIONAL USES.~~

~~—Conditional uses that may be permitted in a Class U1 Single Family House District are listed below and are regulated in Chapter 1368.~~

- ~~—(a) Public and private elementary, secondary and high schools;~~
- ~~—(b) Public library;~~
- ~~—(c) Churches/religious assembly;~~
- ~~—(d) Day care center located in an approved religious assembly or school facility.~~

**CHAPTER 1353
U2 Two-Family House Districts**

~~1353.01 Compliance required.~~

~~1353.02 Permitted uses.~~

~~1353.03 Conditional uses.~~

~~1353.01 COMPLIANCE REQUIRED.~~

~~—In a Class U2 District no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, except for a Class U1 or U2 use.~~

~~1353.02 PERMITTED USES.~~

~~—The permitted uses in a Class U2 Two Family House District shall be as follows:~~

- ~~—(a) Uses permitted and as regulated in a Class U1 District, Section 1351.02; and~~
- ~~—(b) Two family dwellings.~~

~~1353.03 CONDITIONAL USES.~~

~~—Conditional uses that may be permitted in a Class U2 Two Family House District are listed below and are regulated in Chapter 1368.~~

- ~~—(a) Conditional uses permitted in a Class U1 District, Section 1351.03.~~

**CHAPTER 1355
U3 Apartment House Districts**

~~1355.01 Compliance required.~~

~~1355.02 Permitted uses.~~

~~1355.03 Conditional uses.~~

~~1355.01 COMPLIANCE REQUIRED.~~

~~—In a Class U3 District no building or premises shall be used, and no building shall be erected which is arranged, intended or designed to be used, except for a Class U1, U2 or U3 use.~~

~~1355.02 PERMITTED USES.~~

~~—The permitted uses in a Class U3 Apartment House District shall be as follows:~~

- ~~—(a) Uses permitted and as regulated in a Class U1 District Section 1351.02 and a U2 District Section 1353.02;~~
- ~~—(b) An apartment house;~~
- ~~—(c) A community center building accessory to an apartment house or complex and serving only the residents of the apartment house or complex.~~

~~1355.03 CONDITIONAL USES.~~

~~—Conditional uses that may be permitted in a Class U3 Apartment House District are listed below and are regulated in Chapter 1368.~~

- ~~—(a) Church/religious assembly;~~
- ~~—(b) Day care center located in an approved religious assembly or school facility;~~
- ~~—(c) Group housing units limited to adult group homes and residential facility group homes. For the purposes of these regulations, the above terms are defined as follows:
 - ~~—(1) "Adult group home." A facility that is licensed by the Ohio Department of Health to provide accommodations for six to not more than 16 adults and to provide personal care services to these resident adults (typically elderly). Such services may include assistance in daily living activities and self-administration of medicine, and preparation of special diets.~~
 - ~~—(2) "Residential facility group home." A facility licensed by the Ohio Department of Mental Health to provide accommodations for nine to not more than 16 mentally retarded or developmentally disabled persons and to provide personal care, supervision, habilitation services and mental health services in a family setting.~~~~
- ~~—(d) Public and private elementary, secondary, and high schools;~~
- ~~—(e) Public libraries.~~

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By – Planning & Zoning Commission

A resolution granting a Use District Exception, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to 1510 East 191ST, LLC, applicant, to operate an indoor mini/self-storage facility in a U4-Local Retail or Wholesale Store District, Permanent Parcel Number 646-20-003, 1520 East 191 Street, Euclid, Ohio 44117.

WHEREAS, at its meeting on August 13, 2024, the Planning and Zoning Commission approved a Use District Exception, to 1510 East 191ST, LLC, to operate an indoor mini/self-storage facility in a U4-Local Retail or Wholesale Store District, Permanent Parcel Number 646-20-003; and

WHEREAS, Chapter 1375 of the Euclid Codified Ordinances provides that whenever the Planning and Zoning Commission approves a Use District Exception that decision must be confirmed by a Euclid City Council resolution before it becomes effective.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That a Use District Exception is hereby granted, pursuant to Chapter 1375.01(a)(3) of the Codified Ordinances of the City of Euclid, to 1510 East 191ST, LLC, applicant, to operate an indoor mini/self-storage facility in a U4-Local Retail or Wholesale Store District, Permanent Parcel Number 646-20-003, 1520 East 191 Street, Euclid, Ohio 44117.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Resolution No.

By – Mayor Holzheimer Gail and All Members of Council

A resolution adopting the rate of each tax necessary to be levied both inside and outside the ten-mill limitation, as certified by the Cuyahoga County Budget Commission.

WHEREAS, this Council, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2025, and thereon to the Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation; therefore be it

RESOLVED, by the Council of City of Euclid, Cuyahoga County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted, and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR’S ESTIMATED TAX RATES

| 10 FUND LIMIT | County Auditor’s Estimate of Tax Rate to be Levied | |
|-----------------------|--|-----------------|
| | INSIDE 10 MILL LIMIT | OUTSIDE MILL |
| Bond Retirement | 3.88 | |
| General | | 6.72 |
| Permanent Improvement | | 1.00 |
| Recreation | | 1.30 |
| Recreation Capital | | .70 |
| Sub Total | 3.88 | 9.72 |
| TOTAL | | 13.60 |

And be it further

RESOLVED, that the Clerk of Council be and she is hereby directed to certify a copy of this resolution to the County Fiscal Officer of said County.

That it is found and determined, that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

That this resolution shall go into immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

BY: Council President Charlene Mancuso (per request of the Finance Director)

AN EMERGENCY ORDINANCE AMENDING # 18-2024 WHICH MAKES THE ANNUAL APPROPRIATION FOR ALL EXPENDITURES FOR THE CITY OF EUCLID FOR THE PERIOD ENDING DECEMBER 31, 2024.

WHEREAS, IN ORDER TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, IT IS NECESSARY THAT THE FOLLOWING SUMS OF MONEY, OR AS MUCH THEREOF AS MAY BE AUTHORIZED BY LAW, AS MAY BE NEEDED OR DEEMED NECESSARY TO DEFRAY ALL EXPENSES AND LIABILITIES OF THE CITY, BE APPROPRIATED FOR THE CORPORATE PURPOSES AND OBJECTS OF SAID CITY AS HEREINAFTER SPECIFIED.

WHEREAS, THE SUBJECT MATTER OF THIS ORDINANCE CONSTITUTES AN EMERGENCY IN THAT THE SAME PROVIDES FOR THE PRESERVATION OF THE PUBLIC PEACE, SAFETY AND WELFARE OF THE CITIZENS OF THE CITY OF EUCLID, AND FOR THE DAILY OPERATION OF A MUNICIPAL DEPARTMENT.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUCLID, THE STATE OF OHIO.

SECTION 1 : THAT TO PROVIDE FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF EUCLID, OVER A PERIOD ENDING DECEMBER 31, 2024. THE FOLLOWING SUMS BE AND THEY ARE HEREBY SET ASIDE AND APPROPRIATED AS HEREINAFTER SET FORTH.

SECTION 2 : THAT THE EXPENDITURES OF EACH FUND FOR THE CITY OF EUCLID CAN NOT EXCEED THE APPROPRIATION AS AMENDED, FOR THAT FUND.

SECTION 3 : THAT THERE BE AND THERE IS HEREBY APPROPRIATED FROM THE FOLLOWING FUNDS, THE DETAIL OF WHICH IS SHOWN BELOW:

| 101 GENERAL FUND | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
|--|--|-------------------|--------------------|------------|
| <u>Legislative Departments</u> | | | | |
| 101-111 | COUNCIL | 209,581 | 7,050 | 216,631 |
| <u>Judicial Departments</u> | | | | |
| 101-121 | COURT | 2,115,266 | 573,600 | 2,688,866 |
| <u>Executive Departments</u> | | | | |
| 101-131 | MAYOR | 526,571 | 19,900 | 546,471 |
| 101-132 | HUMAN RESOURCES | 145,303 | 14,600 | 159,903 |
| 101-133 | CIVIL SERVICE | 19,480 | 40,100 | 59,580 |
| <u>Law Department</u> | | | | |
| 101-141 | LAW DEPARTMENT | 970,096 | 235,550 | 1,205,646 |
| <u>Finance Department</u> | | | | |
| 101-151 | FINANCE | 434,405 | 154,800 | 589,205 |
| 101-152 | TAX | 199,147 | 1,205,450 | 1,404,597 |
| 101-153 | VITALS | | 360,268 | 360,268 |
| 101-154 | INFORMATION TECH | 271,966 | 209,195 | 481,161 |
| <u>Police Department</u> | | | | |
| 101-211 | POLICE | 15,566,949 | 1,511,060 | 17,078,009 |
| 101-212 | POLICE ADMIN | 901,834 | 344,969 | 1,246,803 |
| 101-213 | CORRECTIONS | | 650,000 | 650,000 |
| <u>Fire Department</u> | | | | |
| 101-221 | FIRE (FIGHTING, PREVENTION, INSPECTIONS) | 13,431,368 | 271,450 | 13,702,818 |
| 101-222 | FIRE ADMIN | 108,889 | 21,000 | 129,889 |
| <u>Protective Inspection Department</u> | | | | |
| 101-311 | BUILDING / HOUSING | 1,032,714 | 211,500 | 1,244,214 |
| 101-331 | PLANNING AND ZONING | 174,013 | 18,750 | 192,763 |
| <u>CS & ED Department</u> | | | | |
| 101-411 | PLANNING AND DEVELOPMENT | 504,488 | 388,300 | 892,788 |
| <u>Service Department</u> | | | | |
| 101-511 | PUBLIC WORKS | 243,836 | 66,930 | 310,766 |
| 101-521 | PUBLIC BUILDINGS | 767,123 | 274,550 | 1,041,673 |
| 101-541 | MOTOR MAINTENANCE | 946,774 | 1,485,650 | 2,432,424 |
| 101-551 | PARKS | 1,207,151 | 134,700 | 1,341,851 |
| 101-561 | ENGINEERING | - | 71,350 | 71,350 |
| 101-571 | SANITATION | - | 3,240,750 | 3,240,750 |
| <u>Recreation</u> | | | | |
| 101-611 | RECREATION | | | - |
| 101-621 | SENIOR CENTER | 408,209 | 70,760 | 478,969 |
| <u>General Services</u> | | | | |
| 101-711 | GENERAL SERVICES | 26,000 | 2,673,650 | 2,699,650 |
| 101-912 | <u>TRANSFERS</u> | | | |
| | TO ANIMAL SHELTER - | FUND 214 | 140,000 | 140,000 |
| | TO NUISANCE ABATEMENT - | FUND 216 | 40,000 | 40,000 |
| | TO RECREATION OPERATION - | FUDN 240 | 150,000 | 150,000 |
| | TO SHORE CORP. - | FUND 290 | 150,000 | 150,000 |
| | TO SELF-INSUR. LIABILITY - | FUND 630 | 1,250,000 | 1,250,000 |
| | TOTAL TRANSFERS OUT | | | 1,730,000 |
| 101-913 | ADVANCES | | | |

TO GOLF COURSE
TOTAL GENERAL FUND

FUND 560

56,197,045

| SPECIAL REVENUE FUNDS | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
|--------------------------------------|-------------------------------------|-------------------|--------------------|-----------------------|
| 210 | STATE HIGHWAY | - | 149,000 | 149,000 |
| 211 | INDIGENT DRIVER ALCOHOL PROGRAM | - | 100,000 | 100,000 |
| 212 | COURT COMPUTERIZATION | - | 120,000 | 120,000 |
| 213 | COURT SPECIAL PROJECTS | - | 250,000 | 250,000 |
| 214 | ANIMAL SHELTER | 167,643 | 9,936 | 177,579 |
| 216 | NUISANCE ABATEMENT | 281,780 | 101,900 | 383,680 |
| 217 | INDIGENT DRIVER INTERLOCK & ALCOHOL | - | 10,000 | 10,000 |
| 220 | STREET MAINTENANCE & CONSTRUCTION | 513,716 | 2,658,112 | 3,171,828 |
| 230 | COMMUNITY TV | - | - | - |
| 240 | RECREATION OPERATING | 129,315 | 875,152 | 1,004,467 |
| 250 | COMMUNITY DEVELOPMENT BLOCK GRANT | 393,970 | 1,928,629 | 2,322,599 |
| 252 | NEIGHBORHOOD STABILIZATION PROGRAM | - | 23,110 | 23,110 |
| 253 | HOME PROGRAM | - | 200,316 | 200,316 |
| 255 | OTHER GRANTS | - | 3,510,317 | 3,510,317 |
| 258 | CARES ACT | - | 33 | 33 |
| 259 | ARP ACT | - | 16,131,729 | 16,131,729 |
| 261 | COP GRANT | 278,407 | - | 278,407 |
| 262 | SAFER GRANT | 157,233 | - | 157,233 |
| 280 | LAW ENFORCEMENT TRUST | - | 275,000 | 275,000 |
| 290 | SHORE CORPORATION | 313,948 | 187,199 | 501,147 |
| 291 | UNCLAIMED MONIES | - | - | - |
| TOTAL SPECIAL REVENUE FUNDS | | | | 28,766,445 |
| CAPITAL PROJECTS FUNDS | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
| 310 | GENERAL PERMANENT IMPROVEMENT | - | 1,525,388 | 1,525,388 |
| 320 | RECREATION CAPITAL | - | 1,000,000 | 1,000,000 |
| 330 | SIDEWALK REPAIR & REPLACE | - | 64 | 64 |
| 380 | SIMS PARK | - | 4,307 | 4,307 |
| 391 | BENNINGTON HAMLET TIF | - | 95,000 | 95,000 |
| 393 | CMP PROPERTIES TIF | - | 150,000 | 150,000 |
| 394 | HARBOR TOWN TIF | - | 600,000 | 600,000 |
| 395 | DOWNTOWN DISTRICT TIF | - | 60,000 | 60,000 |
| 396 | O'REILLY PUBLIC IMPROVEMENT TIF | - | 90,000 | 90,000 |
| 397 | SID WATERFRONT DISTRICT | - | 45,000 | 45,000 |
| 398 | DOLLAR GENERAL TIF | - | 120,000 | 120,000 |
| TOTAL CAPITAL PROJECTS FUNDS | | | | 3,689,759 |
| DEBT SERVICE FUNDS | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
| 410 | BOND RETIREMENT | - | 3,012,861 | 3,012,861 |
| TOTAL DEBT SERVICE FUNDS | | | | 3,012,861 |
| ENTERPRISE FUNDS | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
| 510 | WASTE WATER TREATMENT | 5,070,446 | 18,249,231 | 23,319,677 |
| 511 | EQUIPMENT REPLACEMENT | - | 621,000 | 621,000 |
| 512 | CREEKS AND SEWERS | 1,244,431 | 190,000 | 1,434,431 |
| 515 | PETERSON TRUNK LINE | - | 3,019,022 | 3,019,022 |
| 516 | WATERLINE IMPROVEMENT | - | 4,656,974 | 4,656,974 |
| 560 | BRIARDALE GOLF COURSE | - | - | - |
| TOTAL ENTERPRISE FUNDS | | | | 33,051,104 |
| INTERNAL SERVICE FUNDS | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
| 630 | SELF INSURANCE | - | 2,296,000 | 2,296,000 |
| TOTAL INTERNAL SERVICE FUND | | | | 2,296,000 |
| TRUST & AGENCY FUNDS | | PERSONAL SERVICES | OTHER EXPENDITURES | TOTAL |
| 730 | RETIREEES-INSURANCE PYMTS | - | 500 | 500 |
| 740 | BUILDING DEPOSITS | - | 100,000 | 100,000 |
| 750 | STREET OPENINGS | - | 50,000 | 50,000 |
| 760 | REVOLVING | - | 100,000 | 100,000 |
| TOTAL TRUST & AGENCY FUND | | | | 250,500 |
| TOTAL ALL FUNDS | | | | \$ 127,263,714 |

SECTION 4 : THAT THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED TO DRAW HIS WARRANTS FROM ANY OF THE FOREGOING APPROPRIATIONS UPON RECEIVING PROPER CERTIFICATES AND VOUCHERS THEREFORE APPROVED BY THE BOARD OF OFFICERS AUTHORIZED BY LAW TO APPROVE THE SAME, OR AN ORDINANCE OR RESOLUTION OF COUNCIL TO MAKE THE EXPENDITURES PROVIDED THAT THE CONTINGENCIES CAN ONLY BE EXTENDED UPON APPROVAL OF TWO-THIRDS VOTE OF COUNCIL FOR ITEMS OF EXPENSE CONSTITUTING A LEGAL OBLIGATION AGAINST THE CITY OF EUCLID AND FOR

OTHER THAN THOSE COVERED BY THE OTHER SPECIFIC APPROPRIATIONS MADE HEREIN.

SECTION 5: THAT ALL APPROPRIATIONS EQUAL TO OUTSTANDING ENCUMBRANCES SHALL AT YEAR END CARRY FORWARD
TO THE NEXT SUCCEEDING YEAR, SHALL NOT LAPSE AND THEREFORE, ENCUMBRANCES NEED NOT BE REAPPROPRIATED.

SECTION 6: THAT IT IS FOUND AND DETERMINED THAT ALL FORMAL ACTIONS OF THIS COUNCIL CONCERNING AND RELATING
TO THE ADOPTION OF THIS ORDINANCE WERE ADOPTED IN AN OPEN MEETING OF THIS COUNCIL AND THAT ALL DELIBERATIONS
OF THIS COUNCIL AND OF ANY OF ITS COMMITTEES THAT RESULTED IN SUCH FORMAL ACTIONS, WERE IN MEETINGS OPEN TO
THE PUBLIC, IN COMPLIANCE WITH ALL LEGAL REQUIREMENTS INCLUDING SECTION 121.22 OF THE OHIO REVISED CODE.

SECTION 7: THAT THIS ORDINANCE IS HEREBY DECLARED TO BE AN EMERGENCY MEASURE NECESSARY FOR THE
IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE OF THE INHABITANTS OF THE CITY OF
EUCLID, AND PROVIDED IT RECEIVES THE TWO-THIRDS VOTE OF ALL MEMBERS OF COUNCIL ELECTED THERETO, SHALL BE IN
FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE AND APPROVAL; OTHERWISE TO BE IN FULL FORCE AND EFFECT FROM
AND AFTER THE EARLIEST PERIOD ALLOWED BY LAW.

ATTEST:

CLERK OF COUNCIL

PRESIDENT OF COUNCIL

PASSED :

APPROVED :

MAYOR

Ordinance No.

By – Mayor Holzheimer Gail and Councilperson Hannum

An ordinance authorizing the Director of Planning and Development to advertise for bids and enter into a contract for labor and materials necessary for the construction of the Top of the Tank Improvements, Phase I Project.

WHEREAS, the 2018 Master Plan in the Play focus area, Goal 6 calls for enhancing the existing neighborhood parks with additional programs and amenities; and

WHEREAS, in 2021 the City undertook a planning process for the top of the equalization tank at the northeast corner of Lake Shore Boulevard and Bliss Lane, including community engagement and design, with Environmental Design Group (EDG); and

WHEREAS, City Council adopted the Top of the Tank Site Plan in Resolution 49-2022 on May 2, 2022, following review and a recommendation for adoption by the City’s Planning and Zoning Commission and Architectural Review Board; and

WHEREAS, the proposed improvements in Phase I include grading and the construction of a walking path, benches, bike racks, and concrete work. Once complete, these improvements will allow greater public use of the site and encourage gathering in Downtown Euclid, which will support the local businesses; and

WHEREAS, EDG will prepare documents that will be used to bid this project.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Planning and Development is hereby authorized, empowered, and directed to advertise for bids and enter into a contract for labor and materials necessary for the construction of the Top of the Tank Improvements, Phase I Project in accordance with plans on file in the office of the Director of Planning and Development. Said contract shall be entered into after advertising for not less than two consecutive weeks in a newspaper of general circulation in the City of Euclid and awarded by the Board of Control to the lowest and best bidder. The contract shall be in a form approved by the Director of Law and shall be in conformance with such specifications as developed by the Director of Planning and Development. The contract shall be executed by the Director of Planning and Development. The Board of Control is hereby authorized to waive any minor or technical irregularities that may occur during the bid process.

Section 2: Funds to pay for this expenditure are to be derived from the Community Development Block Grant Fund (250), American Rescue Plan Act Fund (259), and Downtown TIF Fund (395).

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By – Mayor Holzheimer Gail and Councilperson Tolton

A resolution authorizing the Mayor of the City of Euclid, or her designee, to apply, accept and expend Cuyahoga County Supplemental Grant (CDSG) Program funds in an amount up to Fifty Thousand Dollars and 00/100 Dollars (\$50,000.00) for the purpose of constructing improvements at the E. 215th Street Trail (the "Project") in the City of Euclid.

WHEREAS, Cuyahoga County makes approximately One Million Dollars and 00/100 Dollars (\$1,000,000.00) of Casino Revenue Funds available annually to local municipalities and community development organizations in the form of a competitive grant that seeks to strengthen cities, encourage regional collaboration, and improve quality of life for county residents; and

WHEREAS, CDSG funds must meet a community development need related to the health and/or welfare of the community. Funds can only be used toward "hard costs" such as construction and, while a funding match is not required, a funding match is highly recommended and makes an application more competitive; and

WHEREAS, a successful award will allow the City to enhance recreational bike paths and walking trails in Euclid, and expand safe, non-motorized connections throughout the city, as recommended in the adopted 2018 Master Plan and 2023 Citywide Pedestrian & Bicycle Safety Action Plan; and

WHEREAS, the Project includes the improvements to the existing off-road, neighborhood connecting trail from the intersection of E. 215th Street and Naumann Avenue to Goller Avenue, and potentially extending the trail to connect to Miller Avenue. Improvements may include, but are not limited to, regrading, widening, and replacing the existing asphalt trail, adding lighting for visibility and safety, adding amenities, and improving the overall landscape conditions around the trail; and

WHEREAS, the CDSG Program and Project has been discussed in a public hearing on August 19, 2024, at Euclid City Hall, to solicit feedback from Euclid residents and stakeholders about ideas for potential community projects to be consistent with the City's Master Plan.

NOW, THEREFORE, be it resolved by the Council of the City of Euclid, Ohio:

Section 1: That the Mayor of the City of Euclid, or her designee, is hereby authorized to apply, accept, and expend Cuyahoga County Supplemental Grant Program funds in an amount up to Fifty Thousand Dollars and Zero Cents (\$50,000.00) to support the construction of improvements at the Naumann-Goller asphalt trail in the City of Euclid. The funding match for the project will be supported using the City of Euclid's annual projected Community Development Block Grant (CDBG) Entitlement Funds and the Bennington Hamlet and Clay Matthews Properties TIF Funds.

Section 2: That this Council does hereby authorize the Mayor, or her designee, to execute any and all documents necessary to submit an application to the Cuyahoga County Supplemental Grant Program.

Section 3: That the Mayor or her designee is hereby authorized to take all actions and to enter into all agreements necessary for the obligation and expenditure of funds from the Cuyahoga County Supplemental Grant Program, including the execution of a grant agreement with Cuyahoga County to accept and expend any such funds for eligible activities, provided that such expenditures shall be approved in amount and vendor by the Board of Control.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were, in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor

Ordinance No.

By – Councilpersons Wojtila and Hannum (by request)

An ordinance authorizing the Director of Public Service of the City of Euclid to enter into an agreement with GPD Group, 520 South Main Street, Suite 2531, Akron, Ohio 44311, for the purpose of performing construction administration and resident inspection services for the E 220th/221st Street Reconstruction Project.

WHEREAS, the City of Euclid requires the services of a firm with engineering and construction management experience to assist with the administration and inspections related to the E 220th/221st Street Reconstruction Project; and

WHEREAS, GPD Group will perform various professional routine and specifically authorized services for the City related to the project as specified in the agreement which will be executed by the Director of Public Service and approved by the Director of Law; and

WHEREAS, the charge for services provided for these services will be Three Hundred Thirty-Four Thousand Eight Hundred Forty Dollars (\$334,840.00).

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Public Service be, and he is hereby authorized to enter into an agreement with GPD Group, 520 South Main Street, Suite 2531, Akron, Ohio 44311, for the purpose of performing construction administration and resident inspection services for the E 220th/221st Street Reconstruction Project.

Section 2: Funds to pay for this expenditure are to be derived from the 515 Peterson Fund.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.

By – Councilperson Wojtila (By Request)

An ordinance authorizing the Director of Public Service to enter into an agreement with SW&E, LLC DBA Sherman’s Welding and Equipment 2370 Walter Main Road, Geneva, Ohio 44041 for the purchase of one (1) snow package upfit on a 2024 Peterbilt Model 548 chassis, in an amount not to exceed One Hundred Forty-Two Thousand Six Hundred Sixteen and Forty-Three Cents (\$142,616.43), for use by the Euclid Service Department.

WHEREAS, the Streets Department is responsible for the repair and maintenance of the streets in the City of Euclid; and

WHEREAS, in Ordinance Number 79-2024 City Council authorized the purchase a 2024 Peterbilt Model 548 chassis to be used by the Streets Department to assist with plowing, spreading of salt and other tasks all necessary to assist with the repair and maintenance of the streets; and

WHEREAS, the manufacturing and installation of the equipment needed for the vehicle to be able to assist with its intended use can be done by SW&E, LLC DBA Sherman’s Welding and Equipment, a firm that specializes in equipment fabrication, welding and installation.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Director of Public Service of the City of Euclid is hereby authorized to enter into an agreement with SW&E, LLC DBA Sherman’s Welding and Equipment 2370 Walter Main Road, Geneva, Ohio 44041 for the purchase of one (1) snow package upfit on a 2024 Peterbilt Model 548 chassis, in an amount not to exceed One Hundred Forty-Two Thousand Six Hundred Sixteen and Forty-Three Cents (\$142,616.43), for use by the Euclid Service Department.

Section 2: Funds to pay for this expenditure are to be derived from Fund 310-Capital Improvement.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.

By – Councilperson Wojtila (by request)

An ordinance authorizing the Mayor of the City of Euclid, or her designee, to enter into a five-year (5) contract, commencing January 1, 2025, for the collection and disposal of solid waste materials and weekly recycling pick-up for the City of Euclid with Kimble Recycling and Waste Disposal, Inc., 3596 State Route 39 NW, Dover, Ohio 44622.

WHEREAS, the City of Euclid's current contract for the collection and disposal of solid waste materials and weekly recycling pick-up will expire on December 31, 2024; and

WHEREAS, in Ordinance Number 59-2024, City Council authorized the Director of Public Service to advertise and solicit bids for the collection and disposal of solid waste materials and weekly recycling pick-up beginning January 1, 2025; and

WHEREAS, after a review of the bids submitted in response to the advertisement and solicitation for bids and a hearing before City Council, the Administration and the City Council of the City of Euclid have determined the lowest and best bid was received from Kimble Recycling and Waste Disposal, Inc., 3596 State Route 39 NW, Dover, Ohio 44622.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Mayor of the City of Euclid, or her designee, is hereby authorized, empowered and directed to enter into a five-year contract for the collection and disposal of solid waste materials and weekly recycling pick-up with Kimble Recycling and Waste Disposal, Inc., 3596 State Route 39 NW, Dover, Ohio 44622. Said contract shall be for the period January 1, 2025 through December 31, 2029, and shall be in accordance with the specifications on file in the office of the Director of Public Service and shall be in the form approved by the Director of Law.

Section 2: The contract shall be set at the amount as contained in the bid received as summarized in Exhibit A, and shall be periodically adjusted for fuel prices and as authorized by the annual municipal budget as adopted by the Council of the City of Euclid.

Section 3: That funds to pay for this expenditure be derived from the General Fund and then subsidized by collecting a portion of the total from each household in bi-annual assessments approved by Council.

Section 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Ordinance No.

By – Mayor Holzheimer Gail and All Members of Council

An ordinance authorizing the Mayor of the City of Euclid, or her designee, to enter into a contract, with Business Network Team, 12316 York Road, North Royalton, Ohio 44133, for the installation and maintenance of thirty (30) Verkada blue light safety cameras, in an amount not to exceed Six Hundred Seventy Thousand Five Hundred Twelve Dollars (\$670,512.00).

WHEREAS, many cities across the state and nation use safety cameras in strategically selected areas to assist with health, safety and welfare matters within their communities; and

WHEREAS, the use of cameras in open public spaces is common technology throughout the country and has been around for decades; and

WHEREAS, the installation of safety cameras will capture video evidence of criminal activity, and, in some cases, allow police officers to watch in real time areas where there are large events to help determine what response might be needed or assist in monitoring areas where criminal activity has taken place; and

WHEREAS, Ohio law enforcement agencies can cite many examples where footage from safety cameras have helped reduce crime and identify and prosecute criminal offenders; and

WHEREAS, the Euclid Police Department has used footage from a safety camera to assist in the timely investigation and solving of a crime; and

WHEREAS, the contract with Business Network Team is for the installation and maintenance of the safety cameras, a license to use the cameras and other assistance related to their use for a ten (10) year period.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Mayor of the City of Euclid, or her designee, is hereby authorized, empowered and directed to enter into a contract with Business Network Team, 12316 York Road, North Royalton, Ohio 44133, for the installation and maintenance of thirty (30) Verkada blue light safety cameras in an amount not to exceed Six Hundred Seventy Thousand Five Hundred Twelve Dollars (\$670,512.00). Said contract shall be for a ten-year (10) period, and shall be in the form approved by the Director of Law.

Section 2: Funds to pay for this expenditure are to be derived from the ARPA Fund, General Fund, and the Law Enforcement Trust Fund.

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Effective:

Mayor

Resolution No.

By: Council President Mancuso

A resolution of support for the replacement of the Cuyahoga County Cigarette Tax for arts and culture.

WHEREAS, Cuyahoga County's arts and culture non-profit sector supports thousands of jobs and results in hundreds of millions of dollars of annual economic activity; and

WHEREAS, Cuyahoga County's nonprofit arts and culture organizations support and enrich education programs for children throughout our county; and

WHEREAS, Cuyahoga County's arts and culture strengthens our neighborhoods, attracts visitors to our region, and enhances our quality of life; and

WHEREAS, Cuyahoga County voters passed a small tax on cigarettes in 2006 and renewal of that tax in 2015 that provides dedicated, public funding to support non-profit arts and culture organizations and initiatives in Cuyahoga County; and

WHEREAS, the proceeds from this cigarette tax have strengthened the vitality of our arts and culture ecosystem; and

WHEREAS, the proceeds from this cigarette tax have touched nearly every community in our county through the funding of more than 485 arts, cultural, educational and community organizations at more than 2,300 locations; and

WHEREAS, funds from this cigarette tax have been used to support events and programs for organizations in the City of Euclid, including, Shore Cultural Centre, Euclid History Museum, City of Euclid (Youth and Family Arts Series), and Kiddie City Child Care, which has had a direct benefit on our community; and

WHEREAS, the revenues from the tax have declined by 50% since its inception; and

WHEREAS, a replacement of this tax is needed and will be placed before Cuyahoga County voters in the November 2024 General Election; and

WHEREAS, Cuyahoga County's ability to sustain and further develop its arts and culture sector will be placed at risk without the replacement of this cigarette tax as a dedicated funding source.

NOW, THEREFORE, be it ordained by the Council of the City of Euclid, State of Ohio:

Section 1: That the Council of the City of Euclid, Ohio hereby endorses the passage by voters in the November 2024 General Election of a replacement of Cuyahoga County's excise tax on tobacco products for the purpose of funding arts and culture.

Section 2: That the Council of the City of Euclid, Ohio hereby endorses the passage by voters in the November 2024 General Election of a replacement of Cuyahoga County's excise tax on tobacco products for the purpose of funding arts and culture.

Section 3: That the Council of the City of Euclid, Ohio asks the residents of Euclid and the other residents of Cuyahoga County to join its members in supporting the passage of the expansion of Cuyahoga County's excise tax on tobacco products for purpose funding non-profit arts and culture organizations.

Section 4: That the Council of the City of Euclid, Ohio provides this resolution and the representations made herein to the public and to members of the news media.

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6: That this resolution shall take immediate effect.

Attest:

Clerk of Council

President of Council

Passed:

Approved:

Mayor