



City of Lakewood City Council

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Noticed 06/17/26

PUBLIC NOTICE – HOUSING, PLANNING, & DEVELOPMENT COMMITTEE

Housing, Planning, & Development Committee will meet Monday June 22, 2026 at 7:00 p.m. in the Auditorium at Lakewood City Hall, 12650 Detroit Ave. The meeting is open to the public.

The meeting will be livestreamed on the [City's website](#).

The agenda is as follows:

Approval of the minutes of the April 27, 2026 meeting of the Housing, Planning, & Development Committee.

Communication from Assistant Director Baas regarding Zoning Refresh Project (2024 – 2026) – UPDATE (Procedures & Definitions). (*referred to HPD 6/15/26*)

Report from Vice President Baker regarding May 20th meeting of the Lakewood Alive Board of Directors. (*referred to HPD 6/15/26*)

Bryan Evans, Chair

Kyle Baker, Tom Bullock; Members

HOUSING, PLANNING, & DEVELOPMENT COMMITTEE

PUBLIC COMMENT PROTOCOL

The public is invited to comment on agenda items by submitting a written comment in advance of the meeting using the [eComment platform](#). New users must create an eComment account. Committee Chairs may also accommodate in person public comment.

ADA PROTOCOL

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 or michelle.nochta@lakewoodoh.gov.



City of Lakewood
**Department of Planning
and Development**

Angela Byington, Director
David Baas, AICP, Asst. Director

(216) 529-6630
planning@lakewoodoh.gov

June 2, 2026

City Council, City of Lakewood
12650 Detroit Avenue
Lakewood, OH 44107

RE: Zoning Refresh Project (2024 – 2026) – UPDATE (Procedures & Definitions)

Dear Members of City Council,

Last month, the City's **Zoning Refresh Project** moved through the final preliminary draft milestone with the completion of chapters that define the refreshed **procedures and definitions**. These procedures and definitions were informed by work to date across all previous chapters in partnership with our project consultant team at Houseal Lavigne.

Prior to this update, preliminary drafts of the following four documents were worked/reviewed by both the City Administration as well as the Zoning Policy Advisory Committee (ZPAC):

- 1101: General Provisions
- 1108: Nonconformities
- 1109: Decision-Making Procedures/Enforcement
- 1110: Definitions

The intent of this communication is to provide this final group of preliminary drafts to all members of Council with an opportunity for more detailed discussion in committee as our team looks to shift towards preparation of all chapters for final review by both Planning Commission and Council and the subsequent drafting of legislation to enact the refreshed zoning code.

As always – all information, documents, and opportunities for engagement are published on the project website: <https://lakewood-oh-zoning-hlplanning.hub.arcgis.com/>

Sincerely,

David Baas, AICP
Assistant Director

Chapter 1101. Purpose and Applicability

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1101.01. Title

This Code, effective as of ####, ####, shall be known and cited as the Zoning Code of the City of Lakewood, Ohio. This Title may also be known and cited as “the Code” or “this Code”.

1101.02. Title Purpose and Applicability

A. **Purpose.** The purpose of this Zoning Code is to:

1. Preserve and promote health, safety, and welfare;
2. Implement the land use policies and goals set forth in the City’s Comprehensive Plan, the Lakewood Community Vision;
3. Provide adequate light and air; prevent the overcrowding of land; secure safety from fire, panic, and other dangers;
4. Lessen congestion in the street;
5. Encourage efficiency and economy in the use and development of land;
6. Facilitate adequate provisions for transportation, water, sewage, schools, parks, and other public requirements; and
7. Provide for the development of residential, commercial, public/institutional, and industrial/automotive areas that function in an orderly and compatible manner, both within each area and in relation to one another, while promoting the convenience and prosperity of the community.

- B. **Applicability.** This Code applies to all land, buildings, structures, site improvements, and uses within the corporate limits of the City of Lakewood, as shown on the Zoning Map. No person shall disregard or fail to comply with any provision of this Code.

1101.03. Zoning Map

- A. The Zoning Map is hereby incorporated into and made part of this Zoning Code. The Director of Planning and Development shall maintain the Zoning Map in accordance with this Section.
- B. The boundaries of the zoning districts established in **Section #####** are hereby delineated on the Official Zoning Map of the City of Lakewood, which together with all explanatory matter thereon, is hereby adopted and declared to be an integral part of this Code.
- C. **District Boundaries.**
1. When a district boundary falls within a public right-of-way, it shall be deemed to follow the centerline of that right-of-way and shall remain the boundary if the street is vacated, unless changed by an amending Code.
 2. When a district boundary does not fall within a street or right-of-way and is not precisely dimensioned, but the Zoning Map shows it along a lot line, the boundary shall be interpreted as that lot line.

1101.04. Building Line Map

The Building Line Map, as most recently updated and approved, is hereby incorporated into and made a part of this Zoning Code.

1101.05. Separability Clause

If any provision of this Code is held by a court to be invalid or unconstitutional, the remaining provisions shall remain in full force and effect. Only the provision so held shall be affected.

1101.06. Conflicting Provisions

- A. **Relationship to Other Regulations and Agreements.**
1. Except as hereinafter provided, this Code shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any easement, covenants, or other agreements between parties. However, where the regulations of this Code are more restrictive or impose higher standards or requirements than an easement, covenant, or other private agreement, then the requirements of this Code shall govern. Unless deed restrictions, covenants, or other contracts directly involve the City as a part in interest, the City shall have no administrative responsibility for enforcing deed restrictions or covenants.
 2. Where the requirements of this Code are in conflict with other requirements of laws of the United States or the State of Ohio, or with lawfully adopted City rules, regulations,

ordinances, or with overlay district regulations, the most restrictive requirement shall govern. The more restrictive provision is the one that imposes greater restrictions, burdens, or more stringent controls.

- B. **Authorized Deviations.** Deviations from Code requirements, such as approved Administrative Adjustments, Variances, or alternative compliance methods authorized under this Code shall take precedence and are not considered to conflict with other, more restrictive standards in This Code.

DRAFT

Chapter 1108. Nonconformities

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1108.01. General Provisions

A. **Purpose.** The purpose of this Chapter is to:

1. Bring as many nonconforming lots, buildings, structures, site elements, uses, and signs into conformance or closer to conformance as feasible or reasonably practical to further City goals and promote safety and consistency with new development standards,
2. Recognize the existing investments made and interests of property owners in continuing to use nonconforming lots, buildings, structures, site elements, uses, and signs, and
3. Preclude the expansion, reconstruction or reestablishment of nonconforming lots, buildings, structures, site elements, uses, and signs unless doing so can serve as an incentive to achievement of even greater public benefit, such as redevelopment and historic preservation.

B. **Applicability.**

1. **General Applicability.**

- a. The standards of this Chapter apply to nonconforming lots, buildings, structures, site elements, uses, and/or signs created by initial adoption of, or amendments to, this Code or due to existing conditions of areas brought into the City’s jurisdiction, unless otherwise expressly provided in this Code.
- b. The standards of this Chapter do not apply to nonconforming lots, buildings, structures, site elements, uses, and/or signs that were not legally established pursuant to the laws and regulations that were in effect at that time; those situations are deemed illegal and not protected under the allowances of this Chapter.
- c. The standards of this Chapter do not prohibit the exercise of statutory or common law vested rights while the approval is valid.

2. **Maintenance and Minor Repair.** Nothing in this Chapter shall be construed to prevent or prohibit the routine maintenance and minor repair of nonconforming lots, buildings, structures, uses, site elements, or signs, including work necessary to restore a structure to a safe condition as ordered by a public official or modifications required for ADA compliance.
3. **Change in Ownership or Tenancy.** A change of ownership or tenancy shall not, in and of itself, affect the nonconformity status of a lot, building, structure, site elements, use, or sign.

1108.02. Nonconforming Lots of Record

- A. **Applicability.** The standards of this Section apply to nonconforming lots. A nonconforming lot is a lot of record that does not meet the lot area or lot width requirements of the zoning district in which it is located, as established in **Chapter ##### or Chapter #####.**
- B. **Regulations.** The Planning and Development Director may establish setbacks that conform as closely as possible to the dimensional requirements of the zoning district in which the nonconforming lot is located, but not so as to prohibit reasonable use of the parcel.

1108.03. Nonconforming Buildings and Structures

- A. **Applicability.** The standards of this Section shall apply to nonconforming buildings and structures. A nonconforming building or structure is an existing, legally established building or structure that does not comply with the dimensional, design, locational, or other standards of this Code.
- B. **Regulations.**
 1. **Principal Buildings and Structures.**
 - a. A nonconforming principal building or structure shall not be moved or relocated over any distance unless it is listed in the Local, State or National Registries of Historic Places, or it is moved in a manner that complies with the regulations of this Code.
 - b. A nonconforming building or structure shall not be enlarged or expanded in any way that increases or adds to the nonconformity.
 - c. A nonconforming building or structure may be modified provided that modifications in any 12-month period do not exceed 10 percent of the current replacement cost, and total modifications do not exceed 50 percent of the current replacement cost as measured from the date of adoption of this Code. Current replacement cost shall be determined by the Planning and Development Director. Modifications exceeding the cumulative threshold shall require the structure to be brought into full compliance with all applicable regulations of this Code.
 - d. The use of a nonconforming building or structure may be changed to another use, provided the proposed use complies with all applicable regulations of this Code.

2. **Accessory Buildings and Structures.**

- a. A nonconforming accessory building or structure shall not remain after the principal use, building, or structure on the lot has been terminated by abandonment, damage, or destruction, unless the accessory building or structure is brought into full compliance with the standards of the zoning district (####).
- b. No nonconforming accessory building or structure shall become or replace any terminated principal nonconforming building or structure.

1108.04. Nonconforming Site Elements

- A. **Applicability.** The standards of this Section shall apply to nonconforming site elements. A nonconforming site element is any fence, wall, screening element, vision triangle obstruction, buffering element, landscaping, parking, loading area, driveway, bicycle parking, pedestrian infrastructure, or outdoor lighting that does not comply with the standards of this Code.
- B. **Regulations.** Nonconforming site elements shall be brought into compliance in accordance with the Tables and Applicability Sections listed below unless perpetual compliance with the standard is required.
 - 1. Table ####: Building Design Standards Applicability Overview;
 - 2. Table ####: Fence and Wall Standards Applicability Overview;
 - 3. Table ####: Screening Standards Applicability Overview;
 - 4. Table ####: Vision Triangle Standards Applicability Overview;
 - 5. Table ####: Outdoor Lighting Standards Applicability Overview;
 - 6. Table ####: Parking and Access Standards Applicability Overview; and
 - 7. Section ####: Buffer and Landscape Applicability.
- C. **Compliance.** Where full compliance with the requirements of this Section is precluded by a lack of sufficient developable area due to the size of the lot; the layout of existing development; or the presence of significant floodplains, watercourses, or other significant environmental constraints on development (####), the applicant shall comply with the requirements of this Section to the maximum extent practicable, as determined by the Planning and Development Director.
- D. **Discontinuance.** Nonconforming site elements shall be allowed to remain and be maintained until an applicable compliance scenario is triggered as detailed in subsection B above.

1108.05. Nonconforming Uses

- A. **Applicability.** The standards of this Section shall apply to nonconforming uses. A nonconforming use is any use that does not comply with the standards of this Code.
- B. **Regulations.**
1. **Continuation.**
 - a. No nonconforming use shall be extended, expanded, enlarged, or moved to occupy a different or greater area or volume of a development site, building, or structure than was occupied by such use at the time it became nonconforming.
 - b. A nonconforming building, premises, structure, or fixture may be repaired or altered provided that modifications in any 12-month period do not exceed 10 percent of the current replacement cost, and total modifications do not exceed 50 percent of the current replacement cost as measured from the date of adoption of this Code, unless the structure is permanently changed to a conforming use. Current replacement cost shall be determined by the Planning and Development Director. Modifications exceeding the cumulative threshold shall require the structure to be brought into full compliance with all applicable regulations of this Code.
 - c. Accessory uses to nonconforming uses shall be considered extensions, expansions, or enlargements of nonconforming uses.
 - d. If a nonconforming use is discontinued for more than a 12-month period, subsequent use of the development site, building, or structure previously devoted to such use shall not be used for any nonconforming uses and shall thereafter be devoted to conforming uses only, including accessory uses.
 2. **Change of Use.**
 - a. **Principal Uses.**
 - i. As a part of change of use, the principal use of a tenant space or building shall comply with the allowances established in **Table #### (Principal Uses)**.
 - ii. Should the change of use occur on a multi-use site, nonconforming uses of currently occupied tenant spaces and buildings may continue.
 - b. **Accessory Uses.** As a part of change of use, nonconforming accessory uses shall be discontinued.

1108.06. Nonconforming Signs

- A. **Applicability.** The standards of this Section shall apply to all nonconforming signs. A nonconforming sign is an existing, legally established, sign that does not comply with the dimensional, design, locational or other standards of this Code.
- B. **Regulations.**
1. **Continuation.** A legally established, nonconforming sign may continue to be used, except as provided in subsection (####) below.
 2. **Expansion or Alteration.** A legally established, nonconforming sign shall not be expanded, rebuilt, relocated, or otherwise altered, except as provided in subsection (####) below.
 3. **Damage or Destruction.** If a nonconforming sign is damaged beyond 50 percent of its assessed value, such sign shall be removed or be required to come into compliance with the regulations of this Code.
 4. **Removal.**
 - a. **New Signage.** All legally established, nonconforming signs shall be demolished, removed, or made to conform upon the addition of any new signage to the site or structure on which the nonconforming sign is located, except as provided in subsection (####) below.
 - b. **Discontinuance or Change of Use.** When a use is discontinued or changed to a different use, any nonconforming sign, including the supporting structure, shall be removed within 30 days of the discontinuance or change of use.

Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

Chapter 1109. Review, Decision Making, and Enforcement Procedures

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1109.01 General Provisions

- A. **Purpose.** The purpose of this Chapter is to establish the procedures and decision-making processes for development within the City of Lakewood, and to define the roles and responsibilities of the review and decision-making bodies involved in those processes.
- B. **Applicability.**
1. The provisions of this Chapter apply to all development activities and land use within the City’s jurisdiction, including amendments to previously approved developments. Where the review procedures or decision-making criteria are unclear for a particular application, the



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Planning and Development Director shall interpret the procedures and determine the appropriate review process.

- a. **No Use or Construction Without Permit.** The following shall not occur until the appropriate permit or approval has been issued:
 - i. Use or occupancy of land or structures.
 - ii. Change of use or change in occupancy of structures.
 - iii. Erecting, moving, extending, or enlarging any buildings or structures.
 - iv. Any timbering, clearing and grubbing, or filling of any lot for the construction of any building, infrastructure, or site improvement.
 - v. Demolition of any structure.
 - b. **Relation to Other Code of Ordinances.** Review and approval procedures established in other Titles of the City of Lakewood Code of Ordinances may apply in addition to the procedures of this Code.
2. **Continuing Violations.** Any violation of an Ordinance of the City which was initiated prior to the effective date of this Code shall continue to be a violation under this Code and shall be subject to the penalties set forth at the time of the violation unless the use, development, construction, or other activity is clearly consistent with the express terms of this Code. Any person found in violation shall be subject to a fine of \$500 per offense, pursuant to ORC 715.67. Each day a violation continues shall constitute a separate offense.

1109.02 Review and Decision-Making Bodies

A. Planning and Development Director.

1. **Establishment.** The Planning and Development Director is hereby designated as the administrative official responsible for administering the provisions of this Code, including coordinating application review procedures and issuing determinations as authorized herein.
2. **Powers and Duties.** The Planning and Development Director shall have the authority to:
 - a. Review and approve or deny the following:
 - i. Administrative Adjustments (1109.04)
 - ii. Administrative Porch Approval (1109.05)
 - iii. Administrative Certificate of Appropriateness (1109.06)
 - iv. Sign Permits (1109.09)



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

- b. Prepare staff reports and forward applications to the appropriate decision-making body for the following:
 - i. Use Interpretations (1109.08)
 - ii. Minor Subdivisions (1109.10)
 - iii. Lot Adjustments (1109.11)
 - iv. Major Subdivisions (1109.12)
 - v. Conditional Use Permits (1109.13)
 - vi. Variances (1109.14)
 - vii. Planned Developments (1109.15)
 - viii. Zoning Code Text Amendments (1109.16)
 - ix. Zoning Map Amendments (1109.17)
- c. Maintain the following official maps in current status, keep such maps on permanent display in the offices of the Director, and respond to questions and accept applications for amendments thereto:
 - i. Zoning Map; and
 - ii. Building Line Map.

B. Board of Zoning Appeals.

1. **Establishment.** The Board of Zoning Appeals (BZA) is established in accordance with the City Charter and Code of Ordinances.
2. **Membership.** Membership, appointment, and terms shall be as provided in the City Charter and Code of Ordinances.
3. **Meetings, Procedures, and Records.** All meetings of the Board shall be open to the public. The Board shall keep a record of its proceedings, including findings and decisions on all applications.
4. **Decisions.** Decisions of the Board shall be based on the applicable standards of this Code and shall be supported by findings stated on the record.
5. **Powers and Duties.** The Board of Zoning Appeals shall have the authority to:
 - a. Hear and decide Administrative Appeals (1109.07);
 - b. Hear and decide Variances (1109.14);



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

- c. Hear variance referrals from the Planning Commission in connection with Minor Subdivisions (1109.10) and Lot Adjustments (1109.11); and
- d. Act on any other matters specifically assigned to the Board by this Code.

C. Building Commissioner.

- 3. **Establishment.** The Building Commissioner is hereby established. The Building Commissioner, or their designee, shall administer and enforce applicable provisions of this Code.
- 4. **Powers and Duties.** The Building Commissioner shall have the authority to:
 - a. Review and decide Minor Dimensional Adjustments (1109.04);
 - b. Conduct initial review of Administrative Porch Approvals and refer to the Planning and Development Director or Board of Building Standards as applicable (1109.05);
 - c. Review and decide Temporary Sign Permits (1109.09); and
 - d. Issue stop work orders for violations of the Ohio Building Code (1109.18).

C. Board of Building Standards.

- 1. **Establishment.** The Board of Building Standards is established in accordance with Chapter 1325 of the City of Lakewood Building Code.
- 2. **Membership.** Membership, appointment, and terms shall be as provided in the City of Lakewood Code of Ordinances.
- 3. **Meetings, Procedures, and Records.** All meetings of the Board shall be open to the public. The Board shall keep a record of its proceedings, including findings and decisions on all applications.
- 4. **Powers and Duties.** The Board of Building Standards shall have the authority to:
 - a. Review and decide Sign Permit applications referred by the Planning and Development Director (1109.09);
 - b. Review and decide Administrative Porch Approval applications referred by the Building Commissioner (1109.05); and
 - c. Review and decide architectural design compliance for Planned Development applications in accordance with the design standards of ##### of the City's Code of Ordinances (1109.15).

D. Planning Commission.

- 1. **Establishment.** The Planning Commission is established in accordance with the City Charter.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

2. **Membership.** Membership, appointment, and terms shall be as provided in the City Charter and Code of Ordinances.
3. **Meetings, Procedures, and Records.** All meetings of the Planning Commission shall be open to the public. The Planning Commission shall keep a record of its proceedings, including findings and decisions.
4. **Powers and Duties.** The Planning Commission shall have the authority to review and decide applications for:
 - a. Use Interpretations (1109.08);
 - b. Lot Adjustments (1109.11); and
 - c. Conditional Use Permits (1109.13).
 - d. Perform any other duties assigned by this Code.

E. **City Council.**

1. **Establishment.** The City Council is established in accordance with the City Charter.
2. **Meetings, Procedures, and Records.** The City Council shall conduct meetings and maintain records in accordance with the City Charter and Code of Ordinances.
3. **Powers and Duties.** The City Council shall have the authority to review and approve or deny the following:
 - a. Minor Subdivisions (1109.10);
 - b. Major Subdivisions (1109.12);
 - c. Planned Developments (1109.15);
 - d. Zoning Code Text Amendments (1109.16); and
 - e. Zoning Map Amendments (1109.17).

Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

1109.03 General Procedures

A. **Review and Decision-Making Procedures Overview.** Table #### provides an overview of how the various review and decision-making bodies are involved in the administrative procedures of this Code. The following key shall be used in the interpretation of Table ####.

1. R = Recommending Body
2. D = Decision-Making Body
3. A = Appeal Body
4. * = Public Hearing Required

Table #### Review and Decision-Making Procedures Overview

Procedure	Reference	Applicable Body					
		Planning and Development Director	Board of Zoning Appeals	Building Commissioner	Board of Building Standards	Planning Commission	City Council
Administrative Adjustments	1109.04	D	A				
Administrative Porch Approval	1109.05	D			D [2]		
Administrative Certificate of Appropriateness	1109.06	D					
Administrative Appeals	1109.07		D				
Interpretations	1109.08					D	
Sign Permit	1109.09	D	A	D [1]	D [2]		
Minor Subdivision	1109.10					R*	D
Lot Adjustment (Lot Splits, Consolidations, and Resubdivisions)	1109.11					D*	
Major Subdivision	1109.12					R*	D
Conditional Use Permit	1109.13					D*	
Variance	1109.14		D*				
Planned Development	1109.15				D	R*	D
Amendment – Zoning Code Text	1109.16					R*	D
Amendment – Zoning Map	1109.17					R*	D

Notes
[1] The Building Commissioner shall serve as the decision-making authority for Sign Permits only in the cases specified in Section #### of this Code.

Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

Table #### Review and Decision-Making Procedures Overview							
Procedure	Reference	Applicable Body					
		Planning and Development Director	Board of Zoning Appeals	Building Commissioner	Board of Building Standards	Planning Commission	City Council
[2] The Board of Building Standards shall serve as the decision-making authority only when the applicable standards of this Code are not met, as specified in Sections 1109.05 and 1109.08.							

B. Application Requirements.

1. Authority to File.

- a. Applications for review and decision-making procedures may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner.
- b. An easement holder may also apply for review and decision-making procedures for such development as authorized by the terms of the easement.
- c. The Planning and Development Director may require an applicant to present evidence of authority to submit the application as well as a letter from the current landowner.

4. Pre-Application Meeting. The purpose of a pre-application meeting is to provide an opportunity for the applicant and City staff to review applicable submittal requirements, procedures, and schedules and discuss development requirements.

- a. A pre-application meeting may be requested by either the applicant or City staff.
- b. The pre-application meeting is intended to facilitate the review process. Discussion and review are not binding.

5. Submittal Provisions.

- a. **Application Information.** Applications for all procedures of this Code shall include the information detailed per application type.
- b. **Concurrent Applications.** When a project requires approval of multiple application types, the applications may be submitted and reviewed concurrently. All of the applications may be reviewed concurrently by the highest applicable decision-making body provided that prior to the review by such review authority, the project receives any and all required recommendations and advisory input from applicable bodies.
- c. **Fees.**
 - i. The City Council is authorized to establish fees for processing and administering applications. Review fees, as published on the adopted fee schedule, shall be paid at the time of application submittal.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

- ii. As needed, the City may require outside consultant assistance in the review and approval of applications. All such costs shall be the responsibility of the applicant and shall be paid prior to application decision issuance.

d. **Completeness Review.**

- i. **Deemed by The Planning and Development Director.** All applications shall be complete before the Planning and Development Director is required to review the application. An application shall be sufficient for processing when it contains all of the information necessary, in accordance with the appropriate application type. Applicable legislative timelines shall not begin until an application is determined to be complete.
 - a) **Application Incomplete.** On determining whether an application is incomplete, the Planning and Development Director shall provide the applicant with written notice of the submittal deficiencies.
 - b) **Application Complete.** On determining whether an application is complete, the Planning and Development Director shall provide written notice to the applicant that the application has been accepted for review.

- C. **Void Approval.** Any approval issued in violation of the provisions of this Code, whether intentionally, negligently or innocently, shall be void.

- B. **Resubmittal of Denied Applications.** If an application is denied, the applicant shall wait six (6) months before resubmitting, unless substantive changes are made to the proposal. Substantive changes may include, but are not limited to:

1. A change of more than 10 percent in the number of units,
2. A change of more than 10 percent in building square footage or height,
3. Significant changes to the placement of buildings, parking lots, or open space,
4. Alterations to architectural design to enhance compatibility with surrounding properties, and
5. Modifications to align with Code requirements or address concerns cited in the denial.

D. **Public Notice Requirements.**

1. **Public Notice Content.** Public notices, regardless of type, shall, at a minimum, include the information required by the State of Ohio.
2. **Public Notice Types.** The following public notice types are established:
 - a. Notice by Publication,
 - b. Notice by Mail, and

Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

c. Notice by Sign.

3. **Public Notice Requirements by Procedure.** Public notice shall be required by procedure type in accordance with **Table 9.03.02.**

Table ####: Public Notice Requirements by Procedure				
Procedure	Reference	Type of Notice		
		Publication	Sign [1]	Mail
Conditional Use Permit	####	Required		Required
Variance	####	Required		Required
Major Subdivisions	####		Required	
Planned Developments	####	Required	Required	Required
Amendments – Zoning Code Text	####	Required		Required [2]
Amendments – Zoning Map (Rezoning)	####	Required	Required	Required [2]
Notes				
[1] For properties with more than one street frontage, including corner lots and double-frontage lots, a sign shall be posted along each frontage.				
[2] Mailed notice shall be sent to all owners and residents of property within 200 feet of the subject property boundary.				

E. Appeals.

- Appeals of Administrative Decisions.** Appeals of any administrative decision shall be made in accordance with Section 1109.06.
- Appeals of Board of Building Standards Decisions.** Appeals of decisions of the Board of Building Standards shall be made in accordance with Ohio Revised Code **Chapter 3781.**
- Appeals of Board of Zoning Appeals Decisions.** Appeals of decisions of the Board of Zoning Appeals shall be made to the applicable court in accordance with **Ohio Revised Code Chapter ####.**
- Appeals of City Council Decisions.** Appeals of decisions of the City Council shall be made to the Cuyahoga County Circuit Court within thirty (30) days of the decision.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

1109.04 Administrative Adjustment

- A. **Purpose.** Administrative Adjustments are meant to allow the Planning and Development Director to approve or deny limited deviations from the standards of this Code under specified circumstances only. **The Building Commissioner shall have the same authority for Minor Dimensional Adjustments in accordance with Section 1102.**
- B. **Applicability.** Administrative Adjustments may be approved for the following Code sections:
1. Minor Dimensional Adjustments **(Section 1102)**
 2. Temporary Construction Fences **(Section #####);**
 3. Fixture Classification **(Section #####);**
 4. Pole and Fixture Design **(Section #####);**
 5. Façade Lighting **(Section #####);**
 6. Plant Species Diversity Requirements **(Section #####);**
 7. Landscaping and Tree Replacement Standards **(Section #####);**
 8. Buffer Type Standards **(Section #####);**
 9. Internal Access Drive **(Section #####);**
 10. Minimum Parking Requirements **(Section #####);**
 11. Maximum Parking Allowances **(Section #####);**
 12. Joint Use Parking **(Section #####);**
 13. Vehicular Connectivity **(Section #####);**
 14. Location of Driveway Access Points **(Section #####);** and
 15. Driveway Dimensions **(Section #####)**
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in **Section #####.**
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in **Section #####.**
 3. **Administrator Review and Decision.** Once the application is accepted, the Planning and Development Director shall review the application based on the review criteria, refer the application to appropriate City Departments as needed, and either:



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

- a. Issue an approval of the Administrative Adjustment, or
 - b. Issue a denial of the Administrative Adjustment, detailing the application's failure to comply with the review criteria to the applicant.
4. **Director of Public Works Consultation.** For Administrative Adjustments under items 14 and 15 of Section B above, the Planning and Development Director shall consult with the Director of Public Works prior to issuing a decision.
5. **Building Commissioner Review — Minor Dimensional Adjustments.** For Administrative Adjustments under item Section B(1), the Building Commissioner shall serve as the review and decision-making authority in accordance with the standards of Section 1102 of this Code.

D. **Review Criteria.**

1. **Standard Review Criteria.** The following review criteria shall be utilized in the review of all Administrative Adjustments.
 - a. The adjustment is consistent with the purpose and intent of the applicable regulation,
 - b. The adjustment, in the case of dimensional standard modification, is the smallest adjustment necessary to accommodate the proposed improvement or resolve the subject issue, and
 - c. The adjustment is consistent with the City's Community Vision.
2. **Detailed Review Criteria.** The following review criteria shall be utilized in instances where the maximum extent or type of adjustment that may be approved is detailed in the applicable Code section.
 - a. The adjustment meets all standards included in the referenced Code section.
3. **Additional Review Criteria.** The following review criteria shall be utilized in instances where the maximum extent or type of adjustment that may be approved is not detailed in the applicable Code section.
 - a. The adjustment is required to compensate for some unusual aspect of the development site or the proposed development that is not shared by landowners generally (e.g. lot shape or configuration),
 - b. The adjustment is proposed to protect sensitive natural resources or save healthy established trees,
 - c. The adjustment is required to eliminate a minor inadvertent failure to fully comply with a standard,



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- d. The adjustment is required due to natural conditions, such as watercourses, riparian buffers, natural rock formations, or topography, or
- e. The adjustment is required due to the presence of existing utilities or other easements.

E. Effect of Decision.

1. **Permit Validity.** An Administrative Adjustment shall be valid for 12 months from the date of approval. If the approved adjustment has not been acted upon within that period, the approval shall be null and void.
2. **Permit Extension.** Administrative Adjustment approvals cannot be extended.

1109.05 Administrative Porch Approval

- A. **Purpose.** The Administrative Porch Approval process is established to provide an administrative review procedure for front porch improvements prior to the issuance of a building permit, in accordance with the objective standards of Section 1105.05.
- B. **Applicability.** This process shall apply to the construction, replacement, or modification of front porches that comply with the objective standards of Section 1105.05.
- C. **Procedures.**
 1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow Section #####.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 3. **Building Commissioner Review.** Once the application is accepted, the Building Commissioner shall review the application for compliance with all applicable objective standards of Section 1105.05 and either:
 - a. Forward the application to the Planning and Development Director for approval, or
 - b. Refer the application to the Board of Building Standards in accordance with Subsection C(4) below if the proposed front porch does not comply with Section 1105.05.
 4. **Referral to Board of Building Standards.** If the proposed front porch does not comply with the objective standards of Section 1105.05, the Building Commissioner shall refer the application to the Board of Building Standards, for review and decision in accordance with Chapter 1325 of the Building Code. No building permit shall be issued until Board of Building Standards approval is obtained.
- D. **Review Criteria.** An Administrative Porch Approval shall be granted if the proposed front porch complies with all applicable objective standards of Section 1105.05.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

E. Effect of Decision.

1. **Scope of Approval.** Approval authorizes only the specific front porch improvement described in the application and shall not waive or modify any requirements of this Code.
2. **Permit Validity.** An Administrative Porch Approval shall be valid for 12 months from the date of approval. If the approved improvement has not been acted upon within that period, the approval shall be null and void.

1109.06 Administrative Certificate of Appropriateness

- A. **Purpose.** This procedure provides an administrative review process for minor work within a designated Historic Preservation Overlay District.
- B. **Applicability.** This section applies to the following minor work activities within a designated Historic Preservation District Overlay:
1. Repair or replacement of gutters and downspouts, provided there is no change in material or location;
 2. Exterior wall insulation, provided exterior holes are repaired with matching material;
 3. Re-roofing with like material, provided the original style and shape of the roof is not altered;
 4. Storm windows and storm doors, provided they do not significantly alter the visual effect of the opening, are compatible with the character of the building, and do not require removal of original windows or doors; and
 5. Repair of driveways, parking areas, or walkways with like material.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section #####.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 3. **Planning and Development Director Review and Decision.** Once the application is accepted, the Planning and Development Director shall review the application and either:
 - a. Approve the Certificate of Appropriateness; or
 - b. Deny the Certificate of Appropriateness and provide written notice to the applicant detailing the reasons for denial.
 4. **Summary Report.** The Planning and Development Director shall provide the Board of Building Standards a summary of all Certificate of Appropriateness administrative approvals issued under this section.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

D. **Review Criteria.** A Certificate of Appropriateness shall be approved if the proposed minor work complies with all applicable standards of **Chapter 2; 1102.07** of tis Code.

E. **Effect of Decision.**

1. **Scope of Approval.** Approval authorizes only the specific minor work described in the application and shall not waive or modify any requirements of this Code or **Chapter 2; 1102.07**.
2. **Validity.** A Certificate of Appropriateness approved under this section shall be valid for 60 days. If no action has been taken by the Director within that period, the certificate shall be deemed issued.

1109.07 Administrative Appeals

- A. **Purpose.** The Administrative Appeals procedure is established to provide a process for any person adversely affected by a decision of the Planning and Development Director or Building Commissioner to seek review of such decision by the Board of Zoning Appeals.
- B. **Applicability.** An Administrative Appeal may be filed by any person adversely affected by an order, requirement, decision, or determination made by the Planning and Development Director or Building Commissioner. Such appeal shall be filed within 30 calendar days of the decision.
- C. **Procedures.**
1. **Filing of Appeal.** An appeal shall be initiated by filing a written notice of appeal with the Planning and Development Director, specifying the grounds for the appeal and accompanied by any required fee.
 2. **Stay of Proceedings – Planning and Development Director.** Upon filing of an appeal, all activity related to the appealed decision shall be paused until the Board of Zoning Appeals renders a decision. The Planning and Development Director shall administer the stay.
 3. **Stay of Proceedings – Building Commissioner.** The Building Commissioner may lift the stay if continued pause would pose an immediate threat to public health, safety, or property, and shall notify the Planning and Development Director and the Board of Zoning Appeals in writing of the grounds for doing so.
 4. **Record Transmittal.** Upon receipt of a complete appeal, the Planning and Development Director shall:
 - a. Transmit the notice of appeal and all records related to the decision to the Board of Zoning Appeals; and
 - b. Schedule the public hearing before the Board of Zoning Appeals and notify the applicant of the hearing date.
 5. **Board of Zoning Appeals Hearing and Decision.** The Board of Zoning Appeals shall;



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- a. Conduct a public hearing on the appeal;
 - b. Review the record, staff analysis, and any public testimony; and
 - c. Render a decision within 30 days after the public hearing to:
 - i. Affirm the decision in whole or in part; or
 - ii. Reverse the decision in whole or in part.
- D. **Review Criteria.** In considering an Administrative Appeal, the Board of Zoning Appeals shall determine whether:
1. The decision was consistent with the applicable provisions of this Code;
 2. The decision was based on a correct interpretation of this Code; and
 3. The decision was supported by the facts in the record.
- E. **Effect of Decision.**
1. **Reversal.** If the decision is reversed in whole or in part, the matter shall be returned for action consistent with the Board of Zoning Appeals' decision.
 2. **Affirmation.** If the decision is affirmed in whole or in part, the original decision shall remain in effect.
 3. **Timeframe.** The Board of Zoning Appeals shall render a decision within 30 days after the public hearing.

1109.08 Use Interpretation

- A. **Purpose.** The Use Interpretation process is established to determine whether a use not expressly listed in this Code is similar or comparable to a use permitted in a zoning district, consistent with the intent and purpose of this Code. This process shall not be used to amend or modify the content of this Code.
- B. **Applicability.** An application for a Use Interpretation may be filed by any person with an interest in the subject property or circumstances. Use Interpretations shall not be requested based solely on hypothetical situations or where the request would result only in an advisory opinion.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section ##### Pre-Application Meetings.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

3. **Planning and Development Director Referral.** Once the application is accepted, the Planning and Development Director shall prepare a staff report and forward the application to the Planning Commission for consideration.
4. **Planning Commission Review (Use Interpretations).** The Planning Commission shall conduct a public hearing on the application; review and consider the application, staff report, and public comment received; and either:
 - a. Approve the Use Interpretation, or
 - b. Deny the Use Interpretation.

D. **Review Criteria.** A Use Interpretation shall be based on the following criteria:

1. The use shall be interpreted as defined in Chapter ####.
2. No use interpretation shall permit a use that is expressly listed in the use tables of Chapter #### but not allowed as a permitted or conditional use in the subject zoning district.
3. No use interpretation shall permit any use unless evidence demonstrates that it will comply with all standards of the subject zoning district.
4. No use interpretation shall permit any use unless such use is substantially similar, in terms of impact on neighboring property, to other uses allowed in the same district.
5. No use interpretation shall permit any use that would be inconsistent with the statement of purpose of the subject district.
6. The use interpretation shall be consistent with the City's Community Vision.

E. **Effect of Decision.**

1. **Scope.** An interpretation shall not substitute for any permit or approval required by this Code. All applicable permits and approvals shall still be obtained prior to the establishment of any use or commencement of any development activity.
2. **Validity.** An interpretation shall remain valid unless the provision of this Code upon which it is based is amended, in which case the interpretation shall no longer apply.
3. **Appeals.** Appeals of any interpretation issued by the Planning and Development Director shall be made in accordance with Section 1109.06.



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1109.09 Sign Permit

- A. **Purpose.** The Sign Permit procedure is established to ensure that all signs are installed, located, and maintained in a manner consistent with the standards of this Code and all other applicable sections of the City of Lakewood Code of Ordinances
- B. **Applicability.** A Sign Permit shall be required prior to the erection, installation, alteration, or expansion of any sign, unless otherwise exempted by this Code.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in **Section #####.**
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in **Section #####.**
 3. **Director of Planning and Development Review.** Once the application is accepted, the Planning and Development Director shall review the application for compliance with all applicable provisions of this Code and either:
 - a. Approve the Sign Permit for canopy, wall, window, and awning signs, provided the proposed sign complies with all applicable standards of this Code and conforms to any previously approved sign plan or coordinated signage program applicable to the property; or
 - b. Refer the application to the Board of Building Standards in accordance with **Subsection C(4) below** if the proposed sign does not comply with the applicable standards or no previously approved sign plan exists.
 4. **Referral to Board of Building Standards.** If the proposed sign does not comply with the applicable standards of this Code or no previously approved sign plan exists, the Planning and Development Director shall refer the application to the Board of Building Standards for review and decision. The Board shall either:
 - a. Approve the Sign Permit;
 - b. Approve the Sign Permit with conditions; or
 - c. Deny the Sign Permit and direct the Building Commissioner to issue a written decision to the applicant.
 5. **Temporary Sign Permits – Building Commissioner.** The Building Commissioner shall review and decide all temporary sign permit applications. Upon receipt, the Building Commissioner shall record the application and track its status through review and approval. No temporary sign shall be installed until the permit is issued and the applicable fee is paid in accordance **with #####.**



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

D. **Review Criteria.** A Sign Permit shall be approved if:

1. The proposed sign complies with all applicable standards of this Code ####; and
2. The proposed sign complies with all applicable provisions of the City of Lakewood Code of Ordinances.

E. **Permit Issuance.** The Building Commissioner shall issue the Sign Permit or provide written notice of denial based on the decision made under this Section ####.

F. **Effect of Decision.**

1. **Validity.** A Sign Permit shall remain valid unless the approved sign is not installed within one year of approval, or is removed, altered, or replaced.
2. **Scope of Approval.** Approval of a Sign Permit shall authorize only the specific sign described in the application and shall not be construed to approve any additional signs.

1109.10 Minor Subdivision

A. **Purpose.** The Minor Subdivision process is established to review and approve small-scale divisions of land that do not require new streets or infrastructure.

B. **Applicability.** A Minor Subdivision shall include:

1. The division of land into five or fewer lots; and
2. Subdivisions that do not involve the opening, widening, or extension of a street.

C. **Procedures.**

1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow Section ####.
2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section ####.
3. **Planning and Development Director Referral.** Once the application is accepted, the Planning and Development Director shall:
 - a. Refer the application to the City Engineer for review,
 - b. Prepare a staff report on the application based on the Engineer's certification and applicable standards of this Code, and
 - c. Forward the application, Engineer's certification, and staff report to the Planning Commission for consideration.



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4. **Planning Commission Hearing and Recommendation.** The Planning Commission shall conduct a public hearing on the application; review and consider the application, the Engineer's certification, the staff report, and public comment received; and either:
 - a. Recommend approval of the Minor Subdivision,
 - b. Recommend approval of the Minor Subdivision with modifications, or
 - c. Recommend denial of the Minor Subdivision and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
 5. **Board of Zoning Appeals Referral.** If the proposed subdivision would create a nonconformity, the Planning Commission shall refer the application to the Board of Zoning Appeals for a variance determination in accordance with Section ##### prior to making its recommendation. Such referral shall be the exception and not common practice.
 6. **City Council Review and Decision.** Upon receipt of the Planning Commission's recommendation, City Council shall review the application and either:
 - a. Approve the Minor Subdivision,
 - b. Approve the Minor Subdivision with modifications, or
 - c. Deny the Minor Subdivision and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
- D. **Review Criteria.** A Minor Subdivision shall be approved if the subdivision complies with all applicable provisions of this Code.
- E. **Effect of Decision.**
1. **Recording.** The approved plat shall be recorded within 30 days of final approval in accordance with applicable Ohio state statute with the County Auditor and County Recorder. Failure to record the approved plat within 30 days shall render the approval null and void.
 2. **Validity.** A Minor Subdivision approval shall be valid for 12 months from the date of City Council approval. If the approved plat has not been recorded within that period, the approval shall be null and void.
 3. **Restriction on Transfer.** No lots shall be sold or transferred until the plat is approved and recorded.



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1109.11 Lot Adjustment (Lot Splits, Consolidations, and Re-subdivisions)

- A. **Purpose.** The Lot Adjustment process is established to review and approve reconfigurations of existing lots, including lot splits, lot consolidations, and re-subdivisions, to ensure compliance with this Code.
- B. **Applicability.** The Lot Adjustment process shall apply to the following:
1. **Lot Split.** The division of a portion of an existing lot or parcel into two or more lots.
 2. **Lot Consolidation.** The combination of two or more existing lots or parcels into a single lot.
 3. **Re-subdivision.** The reconfiguration of previously subdivided lots.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in **Section #####**.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in **Section #####**.
 3. **Planning and Development Director Referral.** Once the application is accepted, the Planning and Development Director shall:
 - a. Refer the application to the City Engineer for review and certification,
 - b. Prepare a staff report on the application based on the Engineer's certification and applicable standards of this Code, and
 - c. Forward the application, Engineer's certification, and staff report to the Planning Commission for consideration.
 4. **Planning Commission Hearing and Decision.** The Planning Commission shall conduct a public hearing on the application, with notice provided in accordance with **Section #####**; review and consider the application, the Engineer's certification, the staff report, and public comment received; and either:
 - a. Approve the Lot Adjustment,
 - b. Approve the Lot Adjustment with modifications, or
 - c. Deny the Lot Adjustment and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
 5. **Board of Zoning Appeals Referral.** If the proposed lot or parcel does not comply with this Code, the Planning Commission shall refer the application to the Board of Zoning Appeals for a variance determination in accordance with **Section #####**. Following action by the



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Board of Zoning Appeals, the Planning Commission shall resume review and render a final decision in accordance with **Subsection C (4) above.**

D. **Review Criteria.** A Lot Adjustment shall be approved if the proposed configuration complies with all applicable provisions of this Code.

E. **Effect of Decision.**

1. **Final Plat.**

- a. The applicant shall submit a final plat to the City Engineer within 180 days of Planning Commission approval.
- b. The Planning Commission may grant a single extension of time upon written request by the applicant demonstrating circumstances beyond their control.
- c. Failure to submit the final plat within the required timeframe shall render the approval null and void.

2. **Recording.** The approved plat shall be recorded within 30 days of the City Engineer's acceptance of the final plat in accordance with applicable Ohio state statute with the County Auditor and County Recorder. Failure to record within thirty 30 days shall render the approval null and void.

3. **Restriction on Transfer.** No lots shall be sold or transferred until the plat is approved and recorded.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

1109.12 Major Subdivision

- A. **Purpose.** The Major Subdivision process is established to review and approve subdivisions involving new streets, infrastructure, or larger-scale divisions of land to ensure coordinated development consistent with this Code.
- B. **Applicability.** A Major Subdivision shall include any subdivision that does not qualify as a Minor Subdivision, including:
1. Subdivisions creating more than five (5) lots, or
 2. Subdivisions involving the opening, widening, or extension of a street.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section #####.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 3. **Planning and Development Director Referral.** Once the application is accepted, the Planning and Development Director shall:
 - a. Refer the subdivision plan and improvement plans to the City Engineer, Building Commissioner, and applicable City Departments for review and comment; and
 - b. Prepare a staff report based on comments received.
 4. **Planning Commission Hearing and Recommendation.** The Planning Commission shall conduct a public hearing on the application; review and consider the subdivision plan, improvement plans, the staff report, and public comment received; and either:
 - a. Recommend approval of the Major Subdivision,
 - b. Recommend approval of the Major Subdivision with modifications, or
 - c. Recommend denial of the Major Subdivision and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
 5. **City Council Review and Decision.** Upon receipt of the Planning Commission's recommendation, City Council shall render a decision within 45 days of receipt and either:
 - a. Approve the Major Subdivision,
 - b. Approve the Major Subdivision with modifications, or
 - c. Deny the Major Subdivision and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.



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D. **Review Criteria.** A Major Subdivision shall be approved by City Council if:

1. The proposed subdivision complies with all applicable provisions of this Code; and
2. The proposed subdivision is consistent with the City's Community Vision.

E. **Effect of Decision.**

1. **Scope of Approval.** Approval of a Major Subdivision authorizes only the specific subdivision described in the application and shall not waive or modify any requirements of this Code.
2. **Implementation.** Upon approval, applicable building permits may be issued. No lots shall be sold, leased, or transferred until the plat is recorded.
3. **Recording.** The approved plat shall be recorded within 30 days of approval in accordance with applicable Ohio state statute with the County Auditor and County Recorder. Failure to record within 30 days shall render the approval null and void.
4. **Validity.** A Major Subdivision approval shall be valid for 12 months from the date of City Council approval. The Planning and Development Director may grant a single extension of time upon written request by the applicant demonstrating circumstances beyond their control.
5. **Amendments.** Any amendment to an approved Major Subdivision shall be submitted and reviewed as a new application in accordance with this Section.

1109.13 Conditional Use Permit

- A. **Purpose.** The Conditional Use Permit procedure is established to ensure uses identified as conditional uses in **Table #####** are in keeping with the stated purpose and intent of the zoning district in which they are proposed to be established.
- B. **Applicability.** A Conditional Use Permit shall be required prior to the establishment of any uses identified as conditional uses in **Table #####**.
- C. **Procedures.**
 1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in **Section #####**.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in **Section #####**.
 3. **Planning and Development Director Referral.** Once the application is accepted, the Planning and Development Director shall:
 - a. Schedule the Planning Commission public hearing, and



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- b. Forward the application to the Planning Commission for consideration.
4. **Planning Commission Hearing and Decision.** The Planning Commission shall conduct a public hearing on the application; review and consider the application and public comment received; and either:
 - a. Approve the Conditional Use Permit,
 - b. Approve the Conditional Use Permit with conditions, or
 - c. Deny the Conditional Use Permit and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
- D. **Review Criteria.** A Conditional Use Permit shall be approved if:
1. All applicable standards of this Code are met,
 2. All applicable standards of all other applicable sections of the City of Lakewood Code of Ordinances are met, and
 3. The use is aligned with the City's Community Vision.
- E. **Effect of Decision.**
1. **Scope of Approval.** A Conditional Use Permit shall authorize only the specific conditional use approved and shall not waive or modify any requirements of this Code.
 2. **Expiration.** A Conditional Use Permit shall expire if:
 - a. The approved use is not established within one year of the date of approval, or
 - b. The approved use is discontinued for a period of one year.
 3. **Revocation.** A Conditional Use Permit may be revoked by the Planning and Development Director if the established use fails to comply with the conditions of approval or applicable standards of this Code.
 4. **Amendments.** All amendments to an approved Conditional Use Permit shall be submitted and reviewed as a new application in accordance with this Section.



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

1109.14 Variance

- A. **Purpose.** The Variance procedure is established to provide relief in cases where the strict application of this Code creates practical difficulties or unnecessary hardship due to unique conditions of a specific property.
- B. **Applicability.** A Variance may be requested from any standard of this Code, except that no variance shall be granted to allow a use not otherwise permitted in the district or to change the district classification or boundary of the subject property.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section #####.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 3. **Planning and Development Director Referral.** Once the application is accepted, the Planning and Development Director shall prepare a staff report and forward the application to the Board of Zoning Appeals.
 4. **Board of Zoning Appeals Hearing and Decision.** The Board of Zoning Appeals shall conduct a public hearing on the application; review and consider the application, staff report, and public comment received; and either:
 - a. Approve the Variance, or
 - b. Deny the Variance and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
- D. **Review Criteria.** In determining whether to grant a Variance, the decision-making body shall consider whether the applicant will experience practical difficulty. The following factors shall be considered:
- a. Whether there exist site conditions, such as narrowness, shallowness, or topography, unique to the property;
 - b. Whether the property is located near nonconforming or incompatible uses or zoning;
 - c. Whether the property can yield a reasonable return or be put to beneficial use without the variance;
 - d. Whether the variance is substantial;
 - e. Whether the essential character of the neighborhood would be altered;



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- f. Whether the variance would adversely affect public services;
- g. Whether the condition was created by the property owner;
- h. Whether the need for the variance can be avoided; and
- i. Whether the variance meets the intent of this Code and achieves substantial justice.

E. Effect of Decision.

1. **Approval Validity.** Upon approval, a variance shall be valid for twelve (12) months from the date of approval, unless a building permit or certificate of occupancy is obtained and construction is commenced or the approved use is established within that period. If these conditions are met, the variance shall run with the land.
2. **Approval Extension.** A Variance approval cannot be extended.
3. **Authority to Impose Conditions.** The Board of Zoning Appeals may impose conditions and safeguards on any approved Variance as necessary to ensure compliance with this Code.

1109.15 Planned Development

- A. **Purpose.** The Planned Development procedure is established to accommodate the development, review, and approval of site-specific zoning regulations that support creative and innovative design in exchange for providing measurable benefits to the community.
- B. **Applicability.** Any development site 10,000 square feet or more in gross area is eligible for the Planned Development procedure.
- C. **Procedures.**
 1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section ##### Pre-Application Meetings.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 3. **The Planning and Development Director Review.** Once the application is accepted, Staff shall:
 - a. Refer the application to appropriate City Departments for review and comment.
 - b. Prepare a report and recommendation on the application, based on the comments received from the referred to City Departments, and
 - c. Schedule the Planning Commission public hearing.



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4. **Planning Commission Hearing and Review.** The Planning Commission shall conduct a public hearing on the application within 60 days of receipt; review and discuss the application, the Staff report, and public comment received; and either:
 - d. Recommend that the City Council approves the Planned Development as presented,
 - e. Recommend that the City Council approves the Planned Development with revisions or conditions, or
 - f. Recommend that the City Council denies the Planned Development and directs Staff to issue a letter detailing the decision to the applicant.

4. **Board of Building Standards Review.** Upon receipt of the Planning Commission's recommendation for approval, the Planning and Development Director shall forward the application to the Board of Building Standards for review of compliance with the architectural design standards of **Chapter ##### of the City's Code of Ordinances**. The Board of Building Standards shall either:
 - a. Approve the design as presented,
 - b. Approve the design with conditions, or
 - c. Refer the application back to the Planning Commission with written findings if a new issue arises that contradicts or conflicts with the conditions of the Planning Commission's earlier approval, prior to City Council consideration.

5. **City Council Review and Decision.** Upon receipt of the Planning Commission's recommendation and Architectural Board of Review approval, the City Council shall review the application, the Staff report, the Planning Commission's recommendation, and the Board of Building Standards findings; and either:
 - d. Approve the Planned Development as presented,
 - e. Approve the Planned Development with revisions or conditions, or
 - f. Deny the Planned Development, and direct Staff to issue a letter detailing the decision to the applicant.

D. Review Criteria.

- a. All PD District objectives of **Section #####** are met.
- b. At least one of the PD District objectives of **Section #####** are met.

E. Effect of Decision.

1. **Effect of Approval.** Following PD approval, the approved deviations from the standards of this Code shall control in the event of an express conflict between the provisions of the PD



Note: Sections highlighted in blue are recommended to be reviewed with the City Attorney

and this Code. Any Code standard in effect at the time of PD adoption or established or amended in the future, which does not receive deviation approval, shall be complied with.

2. **Validity.** An approved PD shall be valid for two years from the date of City Council approval. Within that period, the applicant shall:
 - a. Submit the plat for recording in accordance with applicable Ohio state statute; and
 - b. Undertake substantial construction of at least the first approved phase of the development.
 - c. Failure to complete these actions within the two-year period shall render the approval null and void.
3. **Vested Rights.** During the approval period, no subsequent amendment to this Code shall adversely affect the applicant's right to proceed with the approved development, except where the Planning Commission determines by written findings that compliance with a new regulation is reasonably necessary to protect public health, safety, or welfare.
4. **Amendments.** All amendments to an approved PD shall be submitted and reviewed as a new application in accordance with this Section.

1109.16 Amendment – Zoning Code Text

- A. **Purpose.** The Zoning Code Text Amendment process is established to provide a means for making changes to the standards of this Code to align with the City of Lakewood's Community Vision.
- B. **Applicability.** A Zoning Code Text Amendment may be initiated by the City Council, the Planning Commission, the Mayor, or by any owner of property affected by the provisions of this Code sought to be amended.
- C. **Procedures.**
 5. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section ##### Pre-Application Meetings.
 6. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 7. **Planning and Zoning Director Review.** Once the application is accepted, the Planning and Zoning Director shall:
 - a. Refer the application to appropriate City Departments for review and comment,
 - b. Prepare a report and recommendation on the application, based on the comments received from the referred to City Departments, and



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- c. Schedule the Planning Commission public hearing.
8. **Planning Commission Hearing and Review.** The Planning Commission shall conduct a public hearing on the application; review and discuss the application, the Staff report, and public comment received; and either:
 - a. Recommend that the City Council approves the Zoning Code Text Amendment as presented,
 - b. Recommend that the City Council approves the Zoning Code Text Amendment with revisions or conditions, or
 - c. Recommend that the City Council denies the Zoning Code Text Amendment and directs Staff to issue a letter detailing the decision to the applicant.
 9. **City Council Review and Decision.** Upon receipt of the Planning Commission's recommendation, the City Council shall review the application, the Staff report, the Planning Commission's recommendation, and any public comment received; and either:
 - a. Approve the Zoning Code Text Amendment as presented,
 - b. Approve the Zoning Code Text Amendment with revisions or conditions, or
 - c. Deny the Zoning Code Text Amendment and direct the Planning and Development Director to issue a letter detailing the decision to the applicant.
- D. **Review Criteria.**
1. The proposed amendment aligns with the City of Lakewood's Community Vision and any other officially adopted applicable plan or policy document.
 2. The proposed amendment will result in compatible relationships between existing and future development patterns.
 3. The proposed amendment will not cause substantial impairment of the health, safety, or general welfare in the applicable area or City as a whole.
- F. **Effect of Decision.** After the adoption of an amendment to the Zoning Code text, or a part thereof, no approval shall be issued except in accordance with the amended text.



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1109.17 Amendment – Zoning Map (Rezoning)

- A. **Purpose.** The Zoning Map Amendment (Rezoning) process is established to provide a means for changing zoning designations to align with the City of Lakewood’s Community Vision.
- B. **Applicability.** The Zoning Map Amendment (rezoning) may be initiated by the City Council, the Planning Commission, the Mayor, or by any owner of property affected by the zoning map designation sought to be amended.
- C. **Procedures.**
1. **Pre-Application Meeting.** If a pre-application meeting is required or requested, it shall follow the process detailed in Section ##### Pre-Application Meetings.
 2. **Application Submittal and Acceptance.** Application submittal and acceptance shall follow the standards and process established in Section #####.
 3. **Planning and Zoning Director Review.** Once the application is accepted, the Planning and Zoning Director shall:
 - a. Refer the application to appropriate City Departments for review and comment.
 - b. Prepare a report and recommendation on the application, based on the comments received from the referred to City Departments, and
 - c. Schedule the Planning Commission public hearing.
 4. **Planning Commission Hearing and Review.** The Planning Commission shall conduct a public hearing on the application; review and discuss the application, the Staff report, and public comment received; and either:
 - a. Recommend that the City Council approves the Zoning Map Amendment as presented,
 - b. Recommend that the City Council approves the Zoning Map Amendment with revisions or conditions, or
 - c. Recommend that the City Council denies the Zoning Map Amendment and directs Staff to issue a letter detailing the decision to the applicant.
 5. **City Council Meeting and Decision.** The City Council shall conduct a public meeting on the application; review and discuss the application, the Staff report, the Planning Commission’s recommendation, and any public comment received; and either:
 - a. Approve the Zoning Map Amendment (Rezoning) as presented,
 - b. Approve the Zoning Map Amendment (Rezoning) with revisions or conditions, or
 - c. Deny the Zoning Map Amendment (Rezoning), and direct Staff to issue a letter detailing the decision to the applicant.



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D. Review Criteria.

1. The proposed amendment aligns with the City of Lakewood's Community Vision and any other officially adopted applicable plan or policy document.
2. The subject site is suitable for the uses and development allowed within the requested district.
3. The proposed amendment will result in compatible development patterns in terms of use and scale with adjacent existing and planned future development.
4. The proposed amendment will not generate traffic, environmental, or aesthetic concerns that would generate undue impact on adjacent properties.
5. The proposed amendment will not cause substantial impairment of the health, safety, or general welfare in the applicable area or City as a whole.

E. **Effect of Decision.** After the adoption of an amendment to the Zoning Map, or a part thereof, no approval shall be issued except in accordance with the amended map.

1109.18 Enforcement

- A. **Violations.** Any of the following shall be a violation of this Code and shall be subject to the remedies and penalties provided by this Code and State law.
1. **Development without Authorization.** Engaging in the development, use, construction, land disturbance, or any other activity subject to the jurisdiction of this Code without all required plan approvals, permits, certificates, or other forms of authorization required by this Code shall constitute a violation of this Code.
 2. **Development Inconsistent with Authorization.** Engaging in development, use, construction, land disturbance or other activity subject to the jurisdiction of this Code inconsistent with any approved plan, plat, permit, certificate, other form of authorization granted for such activity, including conditions of such approvals, shall constitute a violation of this Code.
 3. **Violation by Act or Omission.** Undertaking any activity contrary to the provisions of this Code, including but not limited to any act or omission, or failure to comply with any other provisions, procedures, or standards as required by this Code shall constitute a violation of this Code.
 4. **Illegal Subdivisions/Sales of Land.** No person shall subdivide land in violation of the provisions of this Code, or transfer, sell, or agree to sell any land by reference to, exhibition of, or other use of a plat depicting such subdivision, unless and until the plat has been approved in accordance with this Code and recorded with the Cuyahoga County Fiscal Officer, as applicable. Any such action shall constitute a violation of this Code.



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5. **Demolition by Neglect of Historic Properties.** Demolition by neglect of any designated historic landmark or property located within a locally designated historic district shall constitute a violation of this Code. Owners of historic properties and structures shall have the responsibility to preserve those properties and structures against decay, deterioration, and structural defects and to correct conditions that would compromise those properties' and structures' long-term integrity.

B. Responsible Entities.

1. **Entity Responsible for Violation.** Any of the following parties who participate in, assists, directs, creates or maintains a situation that constitutes a violation of this Code shall be held responsible and shall be subject to the remedies and penalties set forth in this Section:
 - a. Property owner(s);
 - b. Developer or permit/approval holder;
 - c. Tenant or occupant of any land, building, structure, sign, use of land, or part thereof;
 - d. Financially responsible party;
 - e. Contractor or designated agent;
 - f. Architect, engineer, or builder; or
 - g. Any person conducting the violating activity.
2. **Failure by City does not Relieve Violator.** Failure of the Planning and Development Director to observe or recognize conditions which violate this Code or to deny the issuance of development permits shall not relieve the violator from responsibility for the condition or damages that may result and shall not result in the City, its officers, or agents being responsible for conditions or damages.
3. **Entity Responsible for Enforcement.** Enforcement responsibility shall be as follows:
 - a. The Planning and Development Director shall be responsible for enforcing the provisions of this Code.
 - b. Other City employees may assist in enforcing this Code by reporting apparent violations to the Planning and Development Director.
 - c. All other applicable provisions of the City's Code of Ordinances shall be enforced by the City official designated responsible for such enforcement.

C. Enforcement Procedures.

1. **Complaints Regarding Violations.** When the Planning and Development Director identifies or is made aware of a potential Code violation, the enforcement procedures shall take



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place in accordance with this subsection. Any person may submit a complaint alleging a violation of this Code.

- a. Upon receiving a complaint that fully states the basis for the allegation, including the apparent cause of the alleged violation, the Planning and Development Director shall properly record such complaint, investigate the alleged violation, and take appropriate action as provided by this Code.
 - b. Nothing shall limit the Planning and Development Director from investigating possible violations of this Code without receipt of a complaint.
2. **Inspection and Investigation.** The Planning and Development Director is authorized to conduct any lawful inspection and investigation necessary to ensure compliance with this Code.
- a. Inspections may be conducted from public areas or common areas, including premises open to the general public, public right-of-way, as well as adjacent private areas where permission has been granted by the property owner. These inspections shall be carried out during normal business hours unless the Planning and Development Director determines there is a special circumstance or an emergency necessitating inspection at another time.
 - b. Inspections of private areas not visible from a public area may only occur upon presentation of proper credentials and with the consent of the premises owner or with an administrative inspection warrant.
 - c. No person shall willfully resist, delay, or obstruct an authorized representative, employee, or agent of the City while that person is inspecting or attempting to inspect land or structures nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out their official duties.
3. **Notice of Violation and Correction Order.** Upon finding that a violation of this Code exists, the City shall provide written notice of the violation and correction order.
- a. **Contents of Written Notice of Violation.** The notice of the violation and correction order shall:
 - i. Describe the location and nature of the violation,
 - ii. State the actions necessary to abate the violation,
 - iii. Order that the violation be corrected within a specified reasonable time period not to exceed **30 days** after receipt of the notice of the violation and correction order and with the limit for correction of the violation beginning five days after the notice if posted on the property,



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7. **Repeat Violations.** If the same violation is repeated by the same offender over any two-year period, the City may commence the application of remedies or penalties at the stage in the process where the previous violation was resolved.
8. **Authority to Require Statements.** The City shall have the authority to require written statements, or the filing of reports under oath, with respect to pertinent questions related to land-disturbing activities constituting a potential violation of this Code.

D. Remedies.

1. **Application of Remedies.** On determining that the violator has failed to correct the violation by the time limit set forth in the final Notice of Violation and Correction Order (or any granted extension thereof), has failed to request an administrative hearing, or has failed to appeal the Notice of Violation and Correction Order in accordance with Section ####, Administrative Appeals, the Planning and Development Director shall take appropriate action, as provided in this subsection, to correct the violation and to ensure compliance with this Code.
2. **Issuance of Stop Work Order.**
 - a. The Planning and Development Director may issue a stop work order whenever any development subject to this Code is in violation of any applicable provision of this Code.
 - b. The Building Commissioner may issue a stop work order whenever any building or structure being constructed, demolished, renovated, altered, or repaired is in violation of any applicable provision of the Ohio Building Code.
 - c. A stop work order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons for cessation, and the action necessary to lawfully resume work.
3. **Revocation of Permit or Approval.**
 - a. The Planning and Development Director may revoke any permit or approval granted under this Code, by written notice to the permit or approval holder, when:
 - i. False statements or misrepresentations were made in securing the permit or approval,
 - ii. Work is being or has been done in substantial departure from the approved application or plan,
 - iii. There has been a failure to comply with the requirements of this Code, or
 - iv. A permit or approval has been mistakenly granted in violation of this Code.



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- b. The development permit cannot be revoked if a public hearing was required to approve the development permit without following the same development review and approval process required for issuance of the development approval.
4. **Denial or Withholding of Related Permits.** The Planning and Development Director may deny or withhold a Certificate of Zoning Compliance or Certificate of Occupancy in accordance with the Building Code or deny or withhold any permit, approval, or other authorization under this Code to use or develop any land, structure, or improvements—until an alleged violation related to such land, use, or development is corrected and any associated civil penalty is paid.
5. **Removal of Illegal Signs.** The removal of signs that violate the provisions of this Code shall be in accordance with Section #####.
6. **Injunction.** The Planning and Development Director may apply to the appropriate court for a mandatory or prohibitory injunction ordering the offender to correct the unlawful condition or cease the unlawful use of the land in question.
7. **Order of Abatement.**
 - a. The Planning and Development Director may apply for, and the court may enter into an Order of Abatement as part of the judgment in the case. An Order of Abatement may direct any of the following actions:
 - i. Buildings or other structures on the property be closed, demolished, removed,
 - ii. Fixtures, furniture, or other moveable property be moved or removed entirely,
 - iii. Improvements, alterations, modifications, or repairs be made,
 - iv. Trees be replaced, or
 - v. Any other action be taken that is necessary to bring the property into compliance with this Code.
 - b. If an Order of Abatement is executed, a lien may be placed on the property for the cost of executing the order.
8. **Equitable Remedy.** The City may apply to the appropriate court for any appropriate equitable remedy to enforce the provisions of this Code. The fact that other remedies are provided under general law or this Code shall not be used by a violator as a defense to the City's application for equitable relief.

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1110.01. General Provisions

- A. **Purpose.** The purpose of this Chapter is to clarify and define the language of this Code. If a term is not defined in this Chapter, it shall be defined with its everyday meaning as determined by its dictionary definition.
- B. **Applicability.** The rules of construction, interpretation, and measurement and the definitions established in this Chapter shall apply to all chapters of this Code, unless otherwise specified.

1110.02. Rules of Construction and Interpretation

In interpreting the language of this Code, the following general rules of construction shall apply, unless explicitly stated otherwise in a particular use of a term or phrase. The requirements of this Code shall be interpreted and applied as the minimum requirements necessary to carry out the purpose of the Code and to promote public health, safety, and general welfare.

- A. **Mandatory.** The words "shall," "must," and "will" are mandatory in nature.
- B. **Permissive.** The word "may" is permissive in nature.
- C. **And/Or.** The term "and/or" means either or both of the subject components.
- D. **Tense.** Words used in the present tense include the past and the future tenses and vice versa unless manifestly inapplicable.
- E. **Plurals.** Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise.
- F. **Computation of Time.** When calculating any deadline or required date of action under this Code, the first day shall be excluded and the last day shall be included. If a deadline falls on a Saturday, Sunday, or City-observed holiday, it shall extend to the next business day. This applies to all procedural requirements under this Code, including but not limited to notice periods, application deadlines, response periods, appeal periods, and public hearing dates. All references to days are calendar days unless otherwise stated.
- G. **Minimum Requirements.** All development standards established in this Code (such as setbacks, lot size, lot width, building height, lot coverage, parking, landscaping, signs) represent the minimum threshold that must be met. Unless explicitly stated otherwise.
- H. **Including.** The word "including" is considered non-exclusive unless stated otherwise.
- I. **Façade.** That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.
- J. **Fractions.** When any requirement of this Code results in a fraction of a unit, a fraction of one-half or more is considered a whole unit and a fraction of less than one-half is disregarded. When the determination of the number of dwelling units permitted on a lot results in a fraction

of a dwelling unit, any fractional component is disregarded and rounded down to the nearest whole number.

K. Text and Illustrations.

1. In the event of a conflict or inconsistency between the text of this Code and any heading, caption, figure, illustration, or map, the text shall control.
2. Diagrams and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

L. Used or Occupied. The words "used" and "occupied" include the words "intended, designed, or arranged to be used or occupied."

M. Lot. The word "lot" includes the words "plot" and/or "parcel."

N. On the Premises Of. The phrase "on the premises of," means "on the same lot."

O. Telecommunication. The inclusion of the word "telecommunication" in a term name indicates defined terms that apply only to the application and administration of the Wireless Telecommunications Facility provisions of this Code.

P. Terms not Defined. If a term used in this Code is not defined, the Zoning Administrator is authorized to interpret the term in accordance with Section 17.12.06, Interpretations, based upon the definitions used in professionally accepted sources.

Q. References to Other Regulations/Publications. Whenever reference is made to a resolution, Code, code, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, manual, resolution, Code, statute, regulation, or document, unless otherwise specifically stated.

1110.03. Rules of Measurement

Unless a particular use of a term or phrase in this Code explicitly states otherwise, the following general rules of measurement shall govern the application of the numerical standards in this Code.

A. Separation. If a standard of this Code requires a use or development to be separated from another use or development by a minimum distance, that distance is measured as the linear distance (also referred to as 'as the crow flies') between the nearest property line of the subject use or development and the property line of the use or development from which the subject use must be separated.

B. Building Height. The vertical distance measured from the average elevation of the proposed finished grade at the façade adjacent to the front lot line to the highest point of the roof deck of a flat roof, to the highest point of a mansard roof, or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof, exclusive of the building's mechanical systems, chimneys, antennas, or structures necessary to access the roof including but not limited to elevated walkways, stair enclosures and ladders. Dormers shall not be included in the

calculation of building height unless the ridge of the dormer is higher than the ridge of the building roof, in which case building height shall be measured to the highest point of the dormer.

- C. **Floor Area.** the sum of the gross horizontal areas at the several floors, including basements, cellars and attics that are at least 50 percent habitable. All horizontal dimensions shall be taken from the exterior faces of walls, including enclosed porches.
- D. **Story.** As defined in the Ohio Building Code, **Chapter 2[BG]**, as adopted pursuant to ORC **Chapter 3781.**
- E. **Opacity.** The degree to which light or view is blocked, is measured perpendicular to the fence or screening structure for each fence/screening structure section between supports.

1110.04. "A" Definitions

- A. **Abut or Abutting.** Having a common border with or being separated from such a common border by a right-of-way, alley, or easement.
- B. **Accessibility.** A site, building, facility, or portion thereof designed, constructed, or altered to be usable by individuals with disabilities, including those who use wheelchairs, and complying with Americans with Disabilities Act of 1990 (ADA).
- C. **Accessory Use.** A subordinate use which is wholly related but clearly incidental to that of the principal permitted use in a given district, located on the same lot or within the same structure as the principal use.
- D. **Accessory Structure.** A structure that is clearly incidental to and customarily found in connection with a principal building, is located on the same parcel and serves a principal building, and is subordinate in area, extent and purpose to the principal building served. Accessory Structures include but are not limited to canopies, flag poles, detached garages, sheds, decks, patios, pergolas, and gazebos.
- E. **Accessory Dwelling Unit.** A dwelling unit located on a lot, that is incidental and subordinate to the principal dwelling and has its own separate exterior entrance. An Accessory Dwelling Unit may be detached, such as a cottage, or attached to the principal dwelling, such as an attic or basement apartment.
- F. **Administrative, Business, Professional and Medical Office.** A non-retail, non-personal service establishment which involves the transaction or provision of financial, professional, or business services, the operation of service organizations, or the offices of health care providers. Uses include but are not limited to advertising agencies, public relations firms, offices of professional people, financial and tax services, digital media production, investment companies, business consultants, secretarial services, and similar uses not otherwise defined herein.
- G. **Adult Family Home.** A residence or facility that provides accommodations to three to five unrelated adults and provides supervision and personal care service to at least three of the unrelated adults.

- H. **Adult Group Home.** A residence or facility that provides accommodations to six to 16 unrelated adults and provides supervision and personal care service to at least three of the unrelated adults.
- I. **Affordability.** The total monthly housing costs for a dwelling unit, including utilities, do not exceed 30 percent of the maximum allowable income for households at specified income levels, as determined by the U.S. Department of Housing and Urban Development.
- J. **Alley.** As defined in Section 301.03 of the Traffic Code, City of Lakewood Code of Ordinances.
- K. **Alteration.** A change or rearrangement in any structural part, any service equipment, or any means of egress of a building or structure; or an enlargement, whether by extending on a side or by increasing in height; or adding a dividing wall; or the moving from one location or position to another.
- L. **Animal Clinic/Hospital.** An establishment that includes services by licensed practitioners of veterinary medicine, dentistry, or surgery for animals; boarding services for pets, daycare, and training.
- M. **Architectural Element.** Any projection, relief, change of material, window or door opening which is on the façade of a building.
- N. **Artisan Manufacturing.** A fully indoor small-scale business that produces goods or specialty foods, primarily for direct sales to consumers, such as artisan leather, glass, wood, paper, ceramic, textile and yarn products, specialty foods and baked goods. This land use includes the design, processing, fabrication, assembly, treatment and packaging of products; as well as the incidental storage, sales and distribution of such products. This land use does not include uses producing noise, odor, vibration, or similar impacts perceivable by the natural senses outside of the structure or portion of the structure where the use is located.
- O. **Assembly and Packaging Facility.** A building or site where components or materials are combined, assembled, or affixed to create finished products, which are then packaged and prepared for distribution or sale. This use may include processes such as soldering, encapsulation, labeling, and other assembly-related activities necessary to ready products for shipment.
- P. **Assisted Living Facility.** A staffed premises (not a one-unit dwelling) with paid or volunteer staff that provides full-time care to more than six individuals.
- Q. **Auditorium.** A building or structure, or part thereof, where facilities are provided for public assembly, in connection with athletic, civic, educational, recreational, political, religious, or social events.

1110.05. "B" Definitions

- A. **Bar, Tavern, Nightclub.** A business establishment that serves beer, wine, or liquor for consumption on-premises as the predominant use, and where any food service is subordinate to the sale of alcoholic beverages.
- B. **Basement.** As defined in the Ohio Building Code, Section 202.
- C. **Bed and Breakfast Establishment.** Any place of lodging that provides eight or fewer rooms for rent to no more than a total of 20 tourists or other transients for more than 10 nights in a 12-month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.
- D. **Boat Storage Facility.** A dock, platform, or similar structure built over or adjacent to the Grand Lagoon on a residential lot in the Lagoon District, used for the docking or storage of boats, boat trailers, or related equipment for the personal use of the property's occupants only. Such facility may be enclosed or unenclosed.
- E. **Boat Trailers.** A trailer designed and used for transporting, launching, or storing a boat.
- F. **Body Art Establishment.** As defined in Ohio Administrative Code Section 3701-9-01, including tattooing, permanent cosmetics, and body piercing.
- G. **Body Piercing Establishment.** A commercial establishment that performs body piercing procedures as defined under "body piercing" in Section 3701-9-01 of the Ohio Administrative Code. This use is regulated separately from cosmetic and medical tattoo establishments.
- H. **Brick, Solid. A solid masonry unit having a shape approximately that of a rectangular prism, not larger than twelve inches by four inches by four inches.**
- I. **Building.** A structure having a roof supported by columns or walls.
- J. **Building Height.** The vertical distance from the grade to that point midway between the top plate and the peak or for mansard roof or gambrel roof as illustrated below.
- K. **Building, Principal.** A building in which the principal use of the lot on which it is situated is conducted (includes attached garage).
- L. **Building Materials and Lumber Sales Yard.** A facility or site used for the processing, storage, and distribution of wood products, including lumber, timber, and other building materials. This may include activities such as sawmills, lumberyards, and storage areas for construction materials, with associated structures for loading, unloading, and processing.
- M. **Building, Multi-Tenant.** A commercial structure containing more than one business/tenant. Includes, but not limited to, strip-malls, shopping centers, and malls.
- N. **Building, Single Tenant.** A commercial structure containing only one business/tenant.

1110.06. "C" Definitions

- A. **Car Wash.** A building, or portion thereof, where automobiles or other motor vehicles are automatically or manually washed regularly as a business.
- B. **Child Day Care.** As defined under "child care center" in [Section 5104.01\(L\)](#) of the Ohio Revised Code.
- C. **Cladding Material Tier.** A classification system that categorizes exterior building façade materials based on their durability, quality, and long-term maintenance expectations. Cladding material tiers are used to regulate the type, placement, and proportion of exterior materials permitted on buildings.
1. **Tier I Cladding Materials.** High-quality, durable exterior materials characterized by long-term performance, substantial appearance, and traditional character. Tier I materials are intended to function as primary façade materials and as unifying design elements throughout the City.
 2. **Tier II Cladding Materials.** Medium-to-high quality exterior materials that provide architectural variety, texture, and visual interest. Tier II materials may require more frequent maintenance than Tier I materials. These materials are typically permitted as secondary façade materials or in combination with Tier I materials.
 3. **Tier III Cladding Materials.** Visually monolithic exterior materials that may require increased maintenance or have shorter expected lifespans. Tier III materials are generally limited in use, location, or percentage on building façades as regulated by applicable building type or district standards.
- D. **College.** An institution for post-secondary education, public or private, offering courses in general or religious education and not operated for profit. It operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, performing arts facilities, athletic facilities, health centers, dormitories, fraternities, sororities, and other on-campus housing, as well as associated maintenance facilities. It does not include vocational schools, online/remote programs, or colleges/universities operated for profit.
- E. **Community Service Facility.** A permanent, stand-alone facility designed to provide support services to individuals in need. Primary services include temporary shelter and food provision. Incidental services may include educational programs, medical care, and other forms of assistance. This definition does not encompass emergency shelters, hazard shelters, or clothing/food donation centers, which are considered accessory uses.
- F. **Conditional Use.** A use that is not permitted by right in a zoning district but may be approved subject to specific standards and conditions of this Code.
- G. **Co-working Space.** A neutral, non-exclusive, limited shared space defined in a membership-based service arrangement or agreement or subscription wherein a firm has no tenancy interest, leasehold estate, or other real property interest with respect to the accommodation

on an as-needed basis. The agreement gives the firm a right to share the use of the space and may include an exclusive mailing address and office services. An executive suite/exclusive desk/dedicated desk/secured suite/private office under a co-working space agreement falls under this definition.

1110.07. "D" Definitions

A. Development.

1. **Development Activity.** One of the following:
 - a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure,
 - b. The excavation, grading, filling, clearing, or alteration of land,
 - c. The subdivision of land, or
 - d. The initiation or substantial change in the use of land or the intensity of use of land.
2. **New Development.** New development shall include development proposed on undeveloped sites or on previously developed sites after the demolition of existing buildings and site elements.

B. Dwelling, One, Two, and Three Units. As defined in the Residential Code of Ohio, Chapter 2. A dwelling unit shall have its own independent exterior entrance. A dwelling unit includes its own independent exterior entrance. Any living space accessible only through another dwelling unit is not a separate dwelling unit.

C. Dwelling, Four or More Units. As defined in the Ohio Building Code, Chapter 2.

D. Dwelling Unit, Efficiency. As defined in the Ohio Building Code, Chapter 2

E. Drive-Through. An accessory facility where goods or services may be obtained by motorists without leaving their vehicles. It does not include Gas Stations or other Vehicle Services, which are separately defined.

1110.08. "E" Definitionss

A. Employee (for Parking Calculation Purposes). The total number of employees scheduled to work on the development site during the peak hour of operation.

B. Erosion. The process by which the land's surface is worn away by the action of wind, water, ice or gravity.

1110.09. "F" Definitions

- A. **Family Child Care (Type A).** A Type A Family Child Care Home is a private residence where a licensed provider cares for between seven and 12 children at one time, with a maximum of 12 if four or more children are under two years old. The provider's own children under six are included in the total count. These homes are licensed by the Ohio Department of Job and Family Services and must meet specific state regulations.
- B. **Family Child Care (Type B).** A Type B Family Child Care Home is a child care arrangement where a provider cares for up to six children in their personal residence. No more than three of these children can be under the age of two. The provider's own children under the age of six are included in the total count of children. A Type B home provider is not required to be licensed if they are not receiving payment for serving families eligible for Publicly Funded Child Care (PFCC).
- C. **Fence, Living.** A grouping of plants including, but not limited to, hedges, shrubs, bushes, or trees, arranged and/or growing in such a manner as to enclose, secure, partially enclose or secure, provide privacy for, decorate, define, or enhance all or any part of a lot.
- D. **Frontage.**
 - 1. **Street Frontage.** The distance along a street line from one intersecting street to another or from one intersecting street to the end of a dead-end street.
 - 2. **Lot Frontage.** The distance for which the front boundary line of the lot and street line are coincident.
- E. **Funeral Home.** An establishment for preparing the dead for burial or interment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, indoor stonecutting, and selling caskets and related merchandise). Funeral Homes may include accessory Crematoriums.

1110.010. "G" Definitions

- A. **Garage, Private.** An accessory building or portion of the principal building designed, intended, or used for the housing or storage of motor vehicles and other personal property associated with a residential use, and with no facilities for mechanical service or repair of a commercial or public nature.
- B. **Gasoline Service Station.** An establishment that primarily sells gasoline or other types of automotive fuel, which is dispensed directly to the users of motor vehicles. It may also provide additional services such as tire pressure checks, air stations, and other services typically associated with fueling stations, but does not include car washes.
- C. **General Retail, less than 2,500 sq ft.** A retail or service business that sells goods or provides services directly to the consumer, whether for profit or not for profit, with a gross floor area of less than 2,500 square feet. These establishments are typically neighborhood-serving and generate minimal traffic or external impacts. Uses include: bakeries, grocery stores, book and

stationery stores, apparel stores, florists, antique stores, sporting goods stores, jewelry stores, second-hand and resale stores, specialty gift stores, retail variety stores, beverage stores (including liquor, film/video rental, and drug stores), printing services, shoe repair, photographic studios, tailoring and dressmaking, dry cleaning, animal grooming, and upholstery.

- D. **General Retail, 2,500 sq ft or more.** A retail or service business that sells goods or provides services directly to the consumer, whether for profit or not for profit, with a gross floor area of 5,000 square feet or more. These establishments typically serve a broader community and may generate higher volumes of customer traffic and deliveries. Uses include: supermarkets, large grocery or beverage stores, floor covering stores, and other retail or service establishments that exceed 2,500 square feet in gross floor area.
- E. **Grade.** The average elevation of the finished ground at the exterior walls of the main building.
- F. **Green Infrastructure.** Any combination of landscaping, facilities, or equipment that captures rain at or near the site where it falls through infiltration, evapotranspiration, or storage for beneficial use or delayed discharge. Green infrastructure includes, but is not limited to, amended soil areas, bioretention areas, biofiltration areas, rain gardens, green roofs, vegetated or biofiltration swales, landscaping with deeply-rooted plants in amended soil, rain barrels, stormwater trees, permeable pavements, planter boxes, and vegetated buffer strips, as well as the removal of structures or pavements to allow revegetation.

1110.011. "H" Definitions

- A. **Home Occupation (Type A).** A business activity conducted entirely within a dwelling or permitted accessory structure by one or more residents of the property, with no customers, clients, or non-resident employees coming to the site.
- B. **Home Occupation (Type B).** A business activity conducted within a dwelling or permitted accessory structure by one or more residents of the property, which may involve on-site visits from customers or clients, and may include one non-resident employee.
- C. **Hospital.** A health care facility and related facilities that provide care, treatment, testing for physical, emotional, or mental injury, illness, or disability, and overnight boarding of patients, either on a for-profit or not-for-profit basis; but not including group homes. Hospital includes ancillary facilities such as clinical laboratories, outpatient facilities, training facilities, central services facilities, and staff offices.
- D. **Hotel.** An establishment providing ten or more guestrooms for paying guest, not including transient extended-stay guests, as defined herein. Food services, convention hosting services, laundry services, and/or entertainment and recreation activities may be provided by the hotel owner or operator and are maintained in accordance with health, fire, and safety codes. Guestrooms are entered from a lobby, rather than directly from the parking area.

1110.012. "I" Definitions

- A. **Impervious Surface.** An area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, gravel or paved parking lots and streets are examples of areas that typically are impervious.
- B. **Improvement Plan.** Detailed engineering drawings prepared by a professional engineer registered in the State of Ohio depicting the design and construction specifications for all required public and private improvements associated with a proposed subdivision, including pavement, storm and sanitary sewers, water mains, gas and electric lines, house connections, grading, and drainage.
- C. **Indoor Commercial Recreation /Entertainment.** An establishment offering recreation or providing entertainment or games of skill to the general public for a fee or charge and wholly enclosed in a building.
- D. **Industrial, Heavy.** A non-residential use that requires a National Pollutant Discharge Elimination System (NPDES) permit for an industrial or stormwater discharge; or that involves the use or storage of any hazardous materials or substances; or that is used for the purpose of manufacturing, assembling, finishing, cleaning, or developing any product or commodity; or that involves the mining or extraction of any minerals, ore, fossil fuels, or other materials from beneath the surface of the earth. Structures house complex operations, some of which might be continuous (operated 24 hours a day, seven days a week).
- E. **Industrial, Light.** A non-residential use that involves the manufacturing, assembling, finishing, cleaning, or developing any product or commodity. Facilities are typically designed to look and generate impacts like a typical office building, but rely on special power, water, or waste disposal systems for operation. Noise, odor, dust, and glare of each operation are completely confined within an enclosed building, insofar as practical. This includes medical and testing laboratories, facilities for scientific research, and the design, development, and testing of electrical, electronic, magnetic, optical, computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Also included are laundry/dry-cleaning plants as principal uses engaged primarily in high volume laundry and garment services, including: carpet and upholstery cleaners; diaper services; dry-cleaning and garment pressing; and commercial laundries.
- F. **Infill.** An undeveloped area of land located within an existing urban sewer service area, currently served by City utilities, and surrounded by development or development and natural or man-made features where development cannot occur.
- G. **Infiltration.** The entry of precipitation or runoff into or through the soil.
- H. **Instruction Studio.** A small facility for individual and group instruction and training in the arts, including dance and music; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios;

gymnastics, yoga, and similar instruction; and aerobics and gymnastics studios with no other fitness facilities or equipment.

- I. **Interpretation.** An official determination of how the provisions of the zoning Code apply to a specific situation where the Code language is unclear, or a determination of whether an unlisted use is similar to a use permitted in a zoning district.
- J. **Invasive Species.** Plant species that are nonnative (nonindigenous) to the region and whose introduction causes, or is likely to cause, economic harm, environmental harm, or harm to human health, as identified by the **Ohio Department of Natural Resources.**

1110.013. "J" Definitions

[RESERVED]

1110.014. "K" Definitions

[RESERVED]

1110.015. "L" Definitions

- A. **Landscaping.** The installation and maintenance of any combination of trees, shrubs, grasses, and other live plant material, which shall not include bare soil, uncultivated vegetation, and gravel.
- B. **Library.** A public, nonprofit facility in which literary, musical, artistic, and/or reference materials such as but not limited to books, manuscripts, computers, recordings, or films are kept for use by or loaning to patrons of the facility but are not normally offered for sale.
- C. **Lot.** The entire parcel of land occupied or to be occupied by a principal building and its accessory structures, or by a group of buildings, including the yards and open spaces required by this Code and other applicable law.
 - 1. **Lot, Corner.** A lot abutting two or more streets at their intersection.
 - 2. **Lot Depth.** The average horizontal distance between the front and rear lot lines.
 - 3. **Lot, interior.** A lot other than a corner lot.
 - 4. **Lot, Through (double frontage).** A lot having a frontage on two approximately parallel streets, or having its front or rear line on a street and the other line on a river, lake, creek, or other permanent body of water.
 - 5. **Lot Width.** The width of a lot measured at a distance back from the front lot line equal to the required minimum front yard setback.
 - 6. **Lot Lines.** The lines bounding a lot as defined herein:

- a. **Lot Line, Front.** The line separating the lot from any public street, dedicated private easement, or travel easement. On corner lots and through lots, each lot line abutting a public street shall be considered a front lot line.
 - b. **Lot Line, Rear.** The lot boundary opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line, not less than 10 feet long and wholly within the lot.
 - c. **Lot Line, Side.** Any lot line other than a front or rear lot line.
7. **Lot of record.** A lot whose existence, location, and dimensions have been legally recorded or registered in a deed or on a plat.

1110.016. "M" Definitions

- A. **Manufacturing.** All activities related to the manufacture of a Compound, including planning, purchasing, manufacture, processing, compounding, storage, filling, packaging, waste disposal, labeling, leafleting, testing, quality assurance, sample retention, stability testing, release, dispatch and supply, as applicable.
- B. **Marijuana Dispensary.** A person licensed pursuant to **ORC 3780.15** and any other rules promulgated to sell adult use cannabis as authorized.
- C. **Masonry.** Includes materials such as brick, stacked stone, stone, stone masonry units, and architectural concrete masonry units.
- D. **Median.** A raised structure between travel lanes used to separate opposing directions of traffic.
- E. **Medical Clinics/Urgent Care Facility.** A licensed walk-in medical facility that meets the criteria established by the Urgent Care Association of America and/or the American Academy of Urgent Care Medicine.
- F. **Medical Tattoo Establishment.** An establishment that performs medical tattoo procedures by a physician licensed under Ohio Revised Code Chapter 4731.
- G. **Meeting/Event Facility.** A building for the: hosting of parties, meetings, banquets, and conferences, other events; viewing, partaking in, and/or experiencing an amusement, including but not limited to movie theaters, arenas, athletic facilities, and performing arts venues; and programming, production, presentation, exhibition of any of the arts and cultural disciplines, including auditoriums, galleries, museums, and libraries. This use excludes explicit establishments.
- H. **Motel.** An establishment providing ten or more guestrooms are provided for paying transient guests. Transient extended-stay guests, as defined herein, are permitted provided that any rooms so used are maintained by the motel owner or operator to applicable health and safety standards. Food services may be allowed or provided by the motel owner or operator and are maintained in accordance with health, fire, and safety codes. Guestrooms are entered directly from the parking area rather than a lobby.

- I. **Municipal Facility.** A facility owned and operated by the city for public purposes, including but not limited to community centers, city hall, justice centers, municipal garages, wastewater treatment plants, fire stations, police stations, municipal parking lots, and port facilities such as the Port of Lakewood.
- J. **Museum/Art Gallery.** An institution or business where paintings, sculptures, pottery, lithography and anything of artistic expression is shown for view or purchase.

1110.017. "N" Definitions

- A. **Native Plants.** Plant species that are indigenous to and historically occurred in northeastern Ohio, including the Lake Erie coastal region, and that are adapted to the local climate, soils, and environmental conditions of the Lakewood, Ohio area.
- B. **Nursing Home.** A public or private residential facility providing a high level of long-term personal or nursing care for persons (such as the aged or the chronically ill) who are unable to care for themselves properly.

1110.018. "O" Definitions

- A. **Outdoor Dining.** The provision of on-site or on sidewalk outdoor seating areas by a restaurant, bar, or other use where food or beverages are served for consumption and the accessory sale of goods and products outside of a permanent structure that are clearly related to the function contained in that structure. This includes, but is not limited to, landscape materials, lawn, garden supplies, and produce.
- B. **Outdoor Storage Yard.** The storage of various materials outside of a structure, as an accessory use. This includes areas used for the outdoor storage and collection of various types of equipment, materials, or inventory, such as machinery, vehicles, landscaping supplies, and seasonal items.

1110.019. "P" Definitions

- A. **Parking Deck/Garage.** A stand-alone parking deck or garage for temporary storage of vehicles.
- B. **Parking Lot.** An off-street area used for the parking of motor vehicles, together with the driveways and aisles providing access to such area.
- C. **Personal Care and Services.** An establishment primarily engaged in providing individual services generally related to personal needs or cosmetic services, such as hair and nail salons, barber shops, clothing alterations, shoe repair, weight loss centers, makeup services, gyms, dance studios, music and/or art studios, and laundry services.
- D. **Places of Worship.** A facility such as a church, temple, monastery, synagogue, or mosque used for worship by a not-for-profit organization and their customary related uses, such as administrative offices, classrooms, meetings rooms, cooking and eating facilities, and dwelling units housing no more than two faith leaders. Place of worship does not include other principal

uses, such as Child/Adult Day Care Center, Cemetery, School, Entertainment Facility, or Recreation Facility.

- E. **Plant Material.** The trees, shrubs, grasses, plants, and other ground cover, including turfgrass, that constitutes the vegetated component of landscaping.
- F. **Precast Concrete Panels.** Factory-manufactured concrete panels that are cast and cured off-site and installed on-site as exterior wall cladding or structural building elements.
- G. **Principal Use.** The primary purpose or function of a building, structure, or parcel of land.
- H. **Property Owner.** Any person holding fee title, an easement or other interest in property, which allows the person to undertake cropping, livestock management, land disturbing construction activity or maintenance of stormwater BMPs on the property.
- I. **Public Park and Playground.** An area of open space that is maintained in its natural condition or improved for outdoor recreation purposes.

1110.020. "Q" Definitions

[RESERVED]

1110.021. "R" Definitions

- A. **Redevelopment.** A proposed expansion, addition, or major facade change to an existing building, structure, or parking facility, including:
 - 1. **Intermediate Redevelopment.** Redevelopment (as defined herein) which includes 25 percent or more up to less than 75 percent increase in gross floor area, dwelling units, disturbed area, or impervious surface area; an increase in building height.
 - 2. **Major Redevelopment.** Redevelopment (as defined herein) which includes 75 percent or more increase in gross floor area, dwelling units, disturbed area, or impervious surface area.
 - 3. **Minor Redevelopment.** Redevelopment (as defined herein) which includes any exterior changes to buildings or changes to required site elements not meeting the thresholds of other development categories.
- B. **Replacement Value or Cost.** The estimated cost to reconstruct or replace a nonconforming building, premises, structure, or fixture to its same size, materials, and construction quality using current construction cost, excluding land value.
- C. **Research and Development Facility.** An establishment or indoor facility primarily engaged in scientific research, product development, engineering, product testing, or experimentation. This use does not include facilities for the manufacture or sale of products, except as incidental to the primary purpose of the laboratory.
- D. **Restaurant.** A retail business selling ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (i.e. cafeteria or limited

service restaurant); at their tables (full-service restaurant); and at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter (snack and/or nonalcoholic bars). To qualify as a restaurant, an establishment's gross receipts from food and nonalcoholic beverages shall be not less than 30 percent of the total gross receipts from food, nonalcoholic beverages, and alcoholic beverages. This use may allow for drive-thru facilities, subject to the accessory use standards.

- E. **Rooming Unit.** One or more living and/or sleeping rooms arranged contiguously and being accessible through a single interior entrance. Such rooms have no cooking or sanitary facilities.

1110.022. "S" Definitions

- A. **School, Elementary.** A public or private institution for education or learning including athletic or recreational facilities, and offices, which does not include lodging. This institution includes any school licensed by the state and that meets the state requirements for elementary education. Elementary school is considered to generally include pre-kindergarten through fifth grades.
- B. **School, Secondary.** A public or private institution for education or learning including athletic or recreational facilities, and offices, which does not include lodging. This institution includes any school licensed by the state and that meets the state requirements for elementary education. Middle school is considered to generally include grades 6-8.
- C. **School, High.** A public or private institution for education or learning, including athletic and recreational facilities and administrative offices, but not including lodging. This institution is licensed by the state and meets the state requirements for secondary education. High schools is considered to generally include grades 9-12.
- D. **School, Trade/Vocational.** A public or private institution for education or learning including athletic or recreational facilities and offices, which does not include lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.
- E. **Self-Storage Facility.** A building containing separate enclosed storage spaces of varying sizes leased or rented on an individual basis.
- F. **Sexually Oriented Business.** As defined in [Section 2907.40\(A\)\(15\)](#) of the State of Ohio Revised Code.
- G. **Setback.** The shortest horizontal distance from a lot line of a lot to the minimum or maximum depth as prescribed in [Chapter ##](#) or elsewhere in this Code.
 - 1. **Setback, Front.** The front setback shall be as established on the Building Line Map. Where no front setback is established on the Building Line Map, the front setback shall be determined by averaging the front setbacks of all abutting lots on the same block face.

2. **Setback, Interior Side.** The horizontal distance from the interior side lot line of a lot measured perpendicular from the interior side lot line for the minimum depth prescribed in **Chapter ##.**
 3. **Setback, Minimum.** A line parallel to the lot line in front of which no building shall be erected. Minimum setbacks shall be figured from the right-of-way line, lot line, or in the case of alley-accessed lots the alley easement.
 4. **Setback, Rear.** The horizontal distance from the rear lot line of a lot, or in the case of alley-accessed lots to the alley easement boundary, measured perpendicular from the rear lot line for the minimum depth prescribed in **Chapter ##.**
 5. **Setback, Street Side.** The horizontal distance from the street side lot line of a lot measured perpendicular from the street side lot line for the minimum depth prescribed in **Chapter ##.**
- H. **Short Term Rental.** The rental of any dwelling, in whole or in part to any person(s) for transient use for less than a continuous period of 30 days. This does not include a Bed and Breakfast use or ongoing month-to-month tenancy granted to the same renter for the same dwelling.
- I. **Sign.** Any object, device, display, or structure, or part thereof, including its supporting base, frame, electrical and all other accessory components, situated outdoors or visible from outdoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.
1. **Attached Sign.** A sign mounted or otherwise secured to a building or structure not designed/constructed solely for sign support.
 2. **Electronic Message Board (EMB) Sign.** A sign which is designed so that characters, symbols, letters, images, video, or illustrations are displayed and changed through the use of electronics or computers.
 3. **Illegal Sign.** A sign which was constructed after the passage of this Code or amendments thereto, but which does not conform to the regulations of this Code, or a sign which existed prior to the adoption of this section which did not conform to regulations then in effect.
 4. **Illuminated Sign.** A sign designed to give forth any artificial light or designed to reflect such light deriving from any source which is intended to cause such light or reflection.
 - a. **Indirect Lighting.** A source of illumination, not directly visible, which lights only the background upon which the sign or individual letter is mounted.
 - b. **Internal Lighting.** Lighting for which the source of light is located in such manner that the light must travel through a translucent material other than the bulb or tube necessary to enclose the light source, which material has the effect of dispersing the light before it strikes the eye of the viewer.

- c. **Direct Lighting.** Lighting where the source of the light, such as the bulb, is visible to the viewer.
 - d. **Neon Lighting.** Lighting effects using neon or any other inert gas under low pressure, which glows in a distinctive color when exposed to a high voltage electrical current.
5. **Legal Sign.** A sign which lawfully existed at the time of the passage of this Code or amendments thereto, but which does not conform to the regulations of this Code.
6. **Marquee Sign.** A sign attached to permanent roof-like shelter extending from part or all of a building face, constructed of some durable material such as metal or wood, and which is not supported from the ground.
7. **Nonconforming Sign.** A sign which does not comply with one or more of the provisions of this Chapter or other provisions of the City Code of Ordinances.
8. **Off-premise Sign.** A sign which directs attention to a business, profession, person, activity, commodity, or service which is conducted, sold, or offered at a location other than the premises on which the sign is located.
9. **On-premise Sign.** A sign which directs attention to a business, profession, person, activity, commodity, or service located on a premise where the sign is installed and maintained.
10. **Permanent Sign.** A sign that is attached to a building, installed on a lot, or authorized to be placed on the public right-of-way by the political subdivision. Types of permanent signs are:
 - a. **Building Signs.** Any sign attached or supported by a structure used or intended for supporting or sheltering any use or occupancy.
 - i. **Awning Sign.** A sign painted, printed, or attached to an awning, which is a flexible or fabric structure extending from a building to provide shelter over a doorway, window, or walkway.
 - ii. **Canopy Sign.** A sign attached to or painted on a canopy, which is a rigid, roof-like structure of metal, glass, or other durable material projecting above a doorway, window, or walkway, either supported by posts or attached to a building.
 - iii. **Blade Sign.** A sign that projects perpendicular from a building's supporting wall and does not swing or otherwise move via natural, manual, or automated methods.
 - iv. **Bracket-Mounted Sign.** A sign affixed, attached, or secured to a wall or another structure through the use of a bracket or another type of supportive hardware and may swing or otherwise move via natural methods.
 - v. **Wall Sign.** A sign attached to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and whose face is parallel to the façade of the building upon which it is attached. The sign structure may consist of a panel, cabinet, raceway, or a combination thereof. Also includes channel letters and painted signs, but not

awning/canopy, marquee, window, or projecting signs. A sign mounted upon a sloped roof of a commercial building which is an integral part of the design of such roof and building shall be considered a wall sign, such as a mansard.

- vi. **Window Sign, Permanent.** A sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its copy can be read from the exterior of the structure. Window signs shall include window film, decals and clings which are more than 50 percent opaque and / or contain sign copy.
- b. **Ground Sign.** A sign meeting the standards of **Section ##### and Table #####** which may include but are not limited to the following:
 - i. **Drive-Through Sign.** A sign appurtenant to a drive-through facility as defined herein.
 - ii. **Monument Sign.** A detached sign mounted directly to the ground with a solid base and not supported by exposed posts or poles, where the sign has no more than two sides.
 - iii. **Neighborhood Entry Sign.** A freestanding sign that is located at a vehicular entrance to a residential subdivision that is supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
 - iv. **On-Site Circulation Safety Sign.** A sign which conveys information to drivers, cyclists, and pedestrians that is pertinent to protect public safety, including but not limited to signs that identify one-way drive-aisles and access points, areas of low clearance, and the location of drive-through lanes.
 - v. **Post Sign, Permanent.** A freestanding sign affixed to the ground with one or no more than two stakes or poles.
- 11. **Projecting Sign.** A sign other than a wall sign, which is perpendicular to and projects from a building, is supported by a wall of a building where the leading edge extends more than 12 inches beyond the surface of the wall. Also includes wall-mounted barber poles.
- 12. **Temporary Sign.** A moveable sign structure, including poles, posts, or other structural elements or apparatus intended to be erected for a short period of time and no permanently fastened to a foundation or other permanent structure. Types of temporary signs are:
 - a. **Banner Sign.** A temporary sign device generally made of flexible materials such as cloth, plastic, or other non-rigid material with no enclosing framework. Includes removable wall signs.
 - i. **Ground Mounted Banner Sign.** A sign consisting of cloth, paper, plastic or other materials enclosed in a rigid frame attached and secured to the ground.

- ii. **Light Pole Banner Sign.** a sign made of cloth, fabric, or other lightweight material with only material for backing and designed for hanging from light poles
 - iii. **Wall Mounted Banner Sign.** A sign consisting of cloth, paper, plastic or other materials enclosed in a rigid frame attached and mounted to a building.
 - b. **Fence Sign.** Any sign attached to or suspended from a fence, intended to be viewed from outside the fenced area.
 - i. **Athletic Field Fence Sign.** A sign located within and affixed to the fence of an athletic field or court used for sports programs.
 - ii. **Construction Site Fence Sign.** A sign mounted on or attached to a fence enclosing a construction site, typically used to provide project information, safety notices, or contractor identification.
 - c. **Post and Panel Sign.** A sign, the face of which is affixed to a minimum of two posts installed on the ground without footings.
 - d. **Post Sign, Temporary.** A freestanding sign affixed to the ground with one or no more than two weather-resistant wood, aluminum, aluminum composite, or wrought iron stakes or poles with an arm from which the sign hangs.
 - e. **Sidewalk / A-Frame Sign.** A detached temporary sign with only two sides that are situated adjacent to a business with the intent to attract traffic to business(es). Sandwich board signs are not meant to be read by vehicular traffic. (Also known as sandwich signs).
 - f. **Yard Sign.** A freestanding, moveable sign on a wire or plastic frame, wood stake or similar support.
- J. **Site.** The entire area included in the legal description of the parcel on which the land disturbing construction activity is proposed in the permit application.
- K. **Smoke Shop.** Any retail establishment at which twenty percent (20%) or more floor, shelf, and/or display area(s), individually or in the aggregate, is used for the sale of Smoke Shop Products.
- L. **Solar Energy Collection System, Canopy.** A solar energy collection system consisting of elevated solar panels installed above parking lots, carports, and other paved areas.
- M. **Solar Energy Collection System, Ground Mounted.** A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems and located on a site with a primary use.
- N. **Solar Energy Collection System, Roof Mounted.** A solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted.

- O. **Storage/Distribution Warehouse.** A facility for the storage of furniture, household goods, or other commercial goods of any nature. This use includes cold storage. It does not include warehouse, storage, or mini-storage facilities offered for rent or lease to the general public; or terminal facilities for handling freight.
- P. **Story.** That portion of a building included between the surface of a floor and the surface of a floor next above it, or if there is no floor above it, then the portion of the building between the surface of a floor and the ceiling or roof above it. A basement shall be counted as a story for the purposes of height regulations if the vertical distance from grade to the ceiling next above it is greater than distance from the grade to the basement floor.
- Q. **Street.** A public thoroughfare which affords the principal means of access to abutting property.
 - 11. **Street, Arterial.** Principal and Minor routes that provide mobility so people can move from one place to another quickly and safely.
 - 12. **Street, Collector.** Major or Minor routes that provide links between arterial and local streets and balance of mobility and access safely.
 - 13. **Street, Local.** Provide access to homes, businesses, and other property. This includes frontage streets that usually run parallel to arterial streets.
- R. **Structure.** Anything constructed or erected having location on or under the ground or attached to something having location on or under the ground.
- S. **Swimming Pool.** As defined in **Section 1722.02** of the Sanitary Code, City of Lakewood Code of Ordinances.

1110.023. "T" Definitions

- A. **Trade Service.** A business that provides repair, maintenance, or technical services in support of industrial, construction, or commercial operations.

1110.024. "U" Definitions

- A. **Use.** The purpose for which land or a building or structure thereon is designed, arranged, intended or maintained or for which it is or may be used or occupied.

1110.025. "V" Definitions

- A. **Variance.** An approval to deviate from the dimensional standards of this Code where strict application would result in an unnecessary hardship caused by conditions unique to the property, such as its size, shape, or topography, that were not created by the property owner, and where granting the variance would not be contrary to the public interest.
- B. **Vehicle Sale and Leasing.** An establishment which may have showrooms or open lots for selling or leasing automobiles, light trucks, motorcycles, and ATVs.

- C. **Vehicle Services - Major Repair/Body Work.** The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, large appliances, commercial and industrial equipment, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes major repair and body work which encompasses towing, collision repair, other body work and painting services, and tire recapping.
- D. **Vehicle Services - Minor Maintenance/Repair.** The repair, servicing, alteration, restoration, towing painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Minor facilities providing limited repair and maintenance services. Examples include car stereo and alarm system installers; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).

1110.026. "W" Definitions

- A. **Wholesale Trade Operation.** An establishment engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. This does not include selling to the public. Examples of these establishments include agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products; merchant wholesalers; stores primarily selling electrical plumbing, heating, and air conditioning supplies and equipment.
- B. **Wireless Telecommunication Facility.** A structure, including a freestanding mast, pole, monopole, guyed tower, lattice tower, freestanding tower, or other structure, designed and constructed for the primary purpose of supporting any Federal Communications Commission licensed or authorized wireless telecommunications facility antennas and their associated facilities.

1110.027. "X" Definitions

[RESERVED]

1110.028. "Y" Definitions

- A. **Yard.** The area within a lot that lies between the principal structure(s) on the lot and the nearest lot line.
 - 1. **Yard, Front.** As established on the Building Line Map. Where no front yard is established on the Building Line Map, the front yard shall be determined by averaging the front yards of all abutting lots on the same block face. Where no right-of-way exists or if the right-of-way is only inclusive of the street pavement, the front yard shall be measured from an assumed right-of-way line.

2. **Yard, Interior Side.** The shortest horizontal distance from the interior side lot line of a lot to the nearest point of a structure on the lot.
3. **Yard, Rear.** The shortest horizontal distance from the rear lot line of a lot, or in the case of alley-accessed lots to the alley easement boundary, to the nearest point of a structure on the lot.
4. **Yard, Street Side.** The shortest horizontal distance from the street side lot line of a lot to the nearest point of a structure on the lot.

1110.029. "Z" Definitions

- A. **Zoning District, Base.** A base zoning district prescribes a basic set of uniform development regulations for a defined geographic area.
- B. **Zoning District, Overlay.** An overlay zoning district prescribes an additional set of standards for regulations on properties in a defined geographic area within one or more underlying base district. The standards of the overlay district shall supersede the standards of all other applicable district standards.

DRAFT



City of Lakewood
City Council

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Sarah Kepple, President
Thomas R. Bullock III
Angelina Hamilton Steiner

Ward Council
Kyle Baker, Ward 1, Vice President
Bryan Evans, Ward 2
Cindy Strebig, Ward 3
Matt Bixenstine, Ward 4

June 15, 2026

Lakewood City Council
Lakewood, Ohio

Re: Report from LakewoodAlive Board of Directors Meeting – May 20, 2026

Dear Colleagues,

The LakewoodAlive Board of Directors met on May 20, 2026, at the Lakewood Public Library for its bi-monthly meeting. As Council's ex-officio representative to the Board, I wanted to provide a brief update on several noteworthy items discussed during the meeting.

The Board received updates regarding leadership transitions and board recruitment efforts. Sharon Schuldt has agreed to join the Board, while additional prospective candidates are being considered. Current Board President Julie Warren will transition to the role of Past President later this year, with Amanda Santa and Jason Weiner assuming the roles of President and Vice President, respectively. Mike Bentley and Chris Bergin will conclude their Board service in July.

The Board also heard a presentation from a group of young professionals from Cleveland Bridge Builders on their Leadership Action Project with LakewoodAlive. The Project looked into strategies to address garage repair needs for residents who may not qualify for existing assistance programs. I let them know that the City is very interested in this issue with the Zoning Refresh Project currently ongoing and invited the group to present their findings and recommendations to a Council Committee. I will follow up with the Clerk's Office to schedule the meeting.

Councilmembers interested in learning more about LakewoodAlive's programs, committees, or volunteer opportunities are encouraged to reach out. As always, I remain grateful for the organization's work to strengthen our neighborhoods, support local businesses, and build community throughout Lakewood.

Sincerely,

Kyle Baker
Vice President of Council | Ward 1
Ex-officio member, LakewoodAlive Board of Directors