

CHAPTER 1155
Area, Yard and Height Regulations

For Automobile Parking, Office Building, Local Business,
General Business and Service Manufacturing Districts

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CROSS REFERENCES

Use regulations - see DEV. Ch. 1151

Variances - see DEV. 1177.05 et seq.

1155.01 INTENT.

Area, yard and height regulations for Automobile Parking, Office Building, Local Business, General Business and Service-Manufacturing Districts are established herein in order to achieve, among others, the following purposes:

- (a) To establish area, yard and height regulations for planning business areas so they may be coordinated and compatible with the surrounding developments.
- (b) To protect adjacent residential neighborhoods by restricting the types of land and business uses, particularly at the common boundaries, which would create congestion, hazards, noise, odors or other objectionable influences.
- (c) To promote the most desirable land use and traffic patterns in accordance with the objectives of the plan of the City.
(Ord. 59-73. Passed 7-23-73.)

1155.02 AREA REGULATIONS (STANDARD).

In the business district, and service-manufacturing district, buildings and land shall be designed and used, and buildings shall be erected, altered, moved or maintained, in whole or in part, only in accordance with the following area regulations:

- (a) Office Building Districts. The lot area requirements established for the Multifamily R-5 Districts shall apply to any buildings used for residential purposes. Land coverage or the land area occupied by office buildings and

accessory buildings shall not exceed twenty-five percent (25%) of the total development area.

(b) Business Districts.

(1) Gasoline Service stations. The lot shall be not less than twenty-five thousand (25,000) square feet (2333.33m) in area and abut for a distance of not less than two hundred fifty (250) feet (76.20m) on an arterial street.

(2) Drive-Ins. Serving food, snacks or refreshments; the lot shall be not less than twenty-five thousand (25,000) square feet (2333.33m²) in area and abut for a distance of not less than two hundred fifty (250) feet (76.20m) on an arterial street. Drive-ins serving food, snacks and refreshments combined with a sit-down restaurant, the lot shall not be less than thirty-two thousand (32,000) square feet in area and abut for a distance of not less than two hundred fifty (250) feet (76.20m) on an arterial street.

(Ord. 39-95. Passed 5-22-95).

(3) Dwellings. Any existing dwelling, apartment building or other types of residential facilities excluding senior citizen housing, located in a Business District, shall continue to comply with the area regulations in effect at the time such uses become nonconforming.

(4) Senior Citizen Housing.

A. Lot Area. The lot area to be provided for such housing shall not be less than nine hundred (900) square feet (84m) for each dwelling unit in the development. However, notwithstanding the above, the minimum lot area in districts falling under various height regulations shall be as follows:

Height		Minimum Per Dwelling Unit	
Feet	Meters	Sq. Feet	Sq. Meters
150	45.72	900	84
100	30.48	1,000	93.33
50	15.24	1,150	107.33
35	10.67	1,500	139.99

B. Land Coverage. The maximum land coverage by the building shall not exceed twenty-five percent (25%) of the area of the lot. The minimum outdoor livable area, lot area minus ground area of buildings, driveways and parking areas, shall be not less than thirty-five percent (35%) of the lot area.

- C. Limitation on Project Size. No project shall be considered nor shall approval be given to any project consisting of less than seventy-five (75) dwelling units.
- D. Accessory Social Facilities Required. The floor area of each residential building assigned to health, social and recreational facilities, as enumerated in part in Section 1147.03 shall be not less than twenty (20) square feet (1.87m) per dwelling unit.
- (5) Land Coverage. The maximum land coverage by buildings shall not exceed twenty-five percent (25%) of the area of the lot. Areas not improved with buildings and/or parking shall be planted and maintained as landscaped areas. (Ord. 42-96. Passed 3-25-96.)
- (c) Service-Manufacturing Districts.
- (1) The minimum lot area of a Service-Manufacturing District shall be one (1) acre, regardless of the fact that an assembly of parcels of land may be required to achieve compliance with this provision.
- (2) Service-Manufacturing Districts shall not abut a residential district.
- (3) The maximum land coverage by the main use, and any accessory use buildings shall not exceed thirty-five percent (35%) of the area of the lot when occupied by buildings of one (1) story in height (fifteen (15) feet (4.57m) or less), and twenty-five percent (25%) of the area of the lot when any building on the lot is two (2) stories or more in height (twenty-five (25) feet (7.62m) or more). (Ord. 10-79. Passed 6-25-79.)

1155.03 YARD REGULATIONS (CRITERIA).

In all business districts and service-manufacturing districts, buildings and land shall be designed and used, and buildings shall be erected, altered, moved or maintained, in whole or in part, only in accordance with the following yard schedule and regulations:

- (a) Yards for Dwellings.
- (1) In Office Building Districts, the yard requirements established for the Multifamily R-5 District shall apply to the buildings used for dwelling purposes.
- (2) Any existing residential facility located in a Business District shall continue to comply with the yard regulations in effect at the time such use became nonconforming.

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- (3) All other regulations to be applied to senior citizens housing use including yard regulations, setbacks and the location of parking areas and driveways, shall be those regulations set forth in those ordinances applicable to Apartment Districts in a comparable height district.
- (b) Yards for Office and Business Buildings.
- (1) Front yard setbacks for buildings, shall be not less than sixty-five (65) feet (19.81m) unless shown otherwise on the Zone Map.

The front yard may be used for parking, but not within five (5) feet (1.52m) of the front property line, and a curb or other barrier shall be erected on the parking area boundary line. The front yard, between the boundary line and the public sidewalk, shall be landscaped and maintained attractively.

In the front yard, no structure shall be erected, and no merchandise shall be displayed, except gasoline pumps, if constructed and operated as a part of a service station, in front of the established building line, but not less than twenty (20) feet (6.10m) from the street line.

The entrance and exit driveways for automobile service stations shall intersect the street line at approximately forty-five (45) degrees, located and designed in accordance with the latest revision of the "Regulations Governing Ingress and Egress at Gasoline Service Stations Fronting on All Highways Under State Jurisdiction in Ohio", adopted by the Ohio Department of Transportation. The entrance and exit driveways for drive-ins, shall insofar as possible, comply with the above criteria.

- (2) Side yards. Wherever an office building or a business building is located adjacent to another business building within a business district, the buildings shall be either attached, or shall be separated not less than ten (10) feet (3.05m) from each other, or five (5) feet (1.52m) from a property line, unless the building is designed to be extended in the future.

Wherever an office or a business building is located on a lot which adjoins a residential district, an adjacent side yard on the business lot of not less than thirty-five (35) feet (10.67m) shall be provided.

- (3) Rear Yards. Wherever a business district adjoins a residential district along a rear lot line, a rear yard of not less than thirty-five (35) feet (10.67m) shall be provided on the business property. Wherever a business development does not adjoin a residential district line, rear yards shall not be required, except as may be necessary for access or circulation.

- (4) Yards in General. Required yards may be used for parking, circulation, driveways, walkways, signs, as permitted, and landscape features. They shall not be occupied by accessory buildings.

Wherever a side or rear yard of an office or business building adjoins a residential district, a wall or fence, with not more than twenty-five percent (25%) of the surface open to through light and air, or an evergreen hedge at least six (6) feet high or ground cover planting may be required by the Planning Commission along the side and rear yards of the business lot which adjoins the residential district. Upon administrative review of development plans as set forth in Chapter 1175, the Commission may require yard structures and landscape planting in other parts of the business property.

- (c) Yards for Service-Manufacturing Buildings.

- (1) Front Yard. The setback from the street right-of-way line where the lot abuts a public or private street shall be not less than seventy-five (75) feet (22.68m); except where such lot abuts a public or private street servicing a particular development and not servicing through traffic, the setback shall be thirty-five (35) feet (10.67m) from the right-of-way line unless shown otherwise on the setback map. The area between the right-of-way line and buildings shall be landscaped and maintained attractively. The front yard may be used for parking, but not within five (5) feet (1.52m) of the front property line, and a curb or other barrier shall be erected on the parking area boundary line.
- (2) In Service-Manufacturing Districts, a side yard of fifteen (15) feet (4.57m) shall be provided on the lot, excepting however, that wherever Service-Manufacturing building is located on a lot which adjoins an office or business building district, the adjacent side yard on the Service Manufacturing District lot shall be not less than thirty-five (35) feet (10.67m).
- (3) Rear Yards. Wherever a Service Manufacturing District adjoins an office or business district along the rear lot lines, a rear yard of not less than thirty-five (35) feet (10.67m) shall be provided on the Service Manufacturing Districts property. Wherever a Service Manufacturing development abuts another Service Manufacturing District, rear yards shall be twenty-five (25) feet (7.62m).

- (4) Yards in General. Required yards may be used for parking, circulation, driveways, walkways, signs as permitted and landscape features. They shall not be occupied by accessory buildings. Parking in required yards is permitted, but not within five (5) feet (1.52m) of the property line and a curb or other barrier shall be erected on the parking area boundary line. (Ord. 10-79. Passed 6-25-79.)

1155.04 HEIGHT REGULATIONS (STANDARD).

(a) Office Building Districts. For the purpose of this Zoning Code, the Office Building District is hereby also divided into four (4) height districts, and shall be known as:

- H-1 Office District
- H-2 Office District
- H-3 Office District
- H-4 Office District

- (1) OB-1 Office District. The height of any main building shall not exceed thirty-five (35) feet (10.67m).
- (2) OB-2 Office District. The height of any main building shall not exceed fifty (50) feet (15.24m).
- (3) OB-3 Office District. The height of any main building shall not exceed one hundred (100) feet (30.48m).
- (4) OB-4 Office District. The height of any main building shall not exceed one hundred fifty (150) feet (45.72m).

(b) Business District. The height of office and/or business buildings in any Local or General Business District shall not exceed thirty-five (35) feet (10.67m) in height. No accessory building or structure shall exceed fifteen (15) feet (4.57m) in height.

- (1) The provisions of the Zoning Code governing the height of buildings in all districts shall not apply to the following structures and equipment which occupy not more than thirty-five percent (35%) of the roof area of a building, unless a greater percentage of occupation therefor be permitted by the Board of Zoning and Building Appeals:

Chimneys, elevators, bulkheads, skylights, ventilators, air conditioning and other temperature control equipment and other mechanical equipment relating to the operation or construction of the building itself, cooling or water towers, radio or television antennae, theater scenery lofts, domes, stacks, towers or spires so long as such structures

and equipment shall not, in whole or in part, be intended for designed for or to permit human occupancy or regular human use or for storage.

- (2) The height of senior citizen and congregate housing in any Local or General Business District shall be limited to the height permitted by Council as specified herein. For the administration of conditional senior citizen and congregate housing and as one of the conditions which shall be maintained in any such project, the following four (4) maximum height areas are created: thirty-five (35) feet (10.67m), fifty (50) feet (15.24m), one hundred (100) feet (30.48m) and one hundred fifty (150) feet (45.72m) maximum. In granting these height areas, the Planning Commission and Council shall consider:

- A. The height of adjacent buildings.
- B. The maximum building height permitted in adjacent districts.
- C. The land use of adjoining properties.
- D. The proximity to single family homes.
- E. The amount and location of shadow which would be created by such building.
- F. The size of the development site.
- G. The desirability of concentration of elderly housing units in the particular area.

(Ord. 43-85. Passed 6-10-85.)

(c) Service Manufacturing District. The height limitations for buildings (including accessory uses) in Service Manufacturing Districts shall be not in excess of thirty-five (35) feet (10.67m) not including chimneys, elevators, penthouses, ventilators and heating and air conditioning units, which may extend not more than ten (10) feet (3.05m) above such height limitation.

(Ord. 10-79. Passed 6-25-79.)

1155.05 BUSINESS AREA CONCEPT PLAN.

(a) In order to implement the Plan for the City and supplement the regulations, standards and criteria of the Zoning Code, the Planning Commission may prepare Concept Plans for the design, development or redevelopment of business areas, or for coordinating the proposed development with the surrounding neighborhood. Such designs may include, but are not limited to, the Commission's recommendations on: the use classification, location, bulk and general design of buildings; the relationship of buildings and districts to each other, yards and other open spaces; the location and width of streets and pavements; the location, width and control of accessways to major streets, parking and loading areas; pedestrian ways, paved areas, landscape planting, exterior lighting, signs, street furniture and other exterior and landscape features.

(b) Such Concept Plans shall be developed in accordance with the objectives and planning criteria set forth in the Plan, and any applicable provisions of the Zoning Code. After such plans are duly adopted by the Planning Commission and Council, any new construction, additions to, or rebuilding of such a business area, or parts thereof, shall be submitted under the Planning Development Procedures, Chapter 1175, and the proposed design shall be in substantial compliance with the Concept Plan.

(Ord. 59-73. Passed 7-23-73.)

1155.06 SIGN REGULATIONS.

Signs in Automobile Parking, Office Building, Business and Service-Manufacturing Districts shall be designed, erected, altered, moved or maintained, in whole or in part, in accordance with the regulations as set forth in Chapter 1163.

(Ord. 59-73. Passed 7-23-73.)

1155.07 DIRECT SATELLITE (ANTENNA) RECEIVING STATIONS.

Shall be permitted in all districts other than residential when constructed using the following criteria:

- (a) A building permit is required for all installations.
- (b) The antenna shall serve only the occupants of the building in which it is installed.
- (c) The antenna shall be installed on the roof of the building and not closer than twenty (20) feet from any roof edge.
- (d) The installed antenna shall not exceed eight (8) feet in height when in a vertical position above the roof surface.
- (e) The installed antenna shall be able to sustain the equivalent of a ninety (90) mile per hour wind over the developed surface of the antenna and its' base. Structural calculations shall be furnished to the Building Division of the City of Rocky River certifying to the capability of the roof to support the antenna and base. The antenna shall be free-standing on a rigid base. Details for the installation shall be furnished at the time of permit application.
- (f) No lettering, numerals, permitted on the dish.
- (g) All wiring to the antenna shall be concealed below the roof.
- (h) If approved by the Building Division, an antenna may be installed on grade, providing that the criteria established by Section 1141.04(b)(9) are adhered to, where applicable.

(i) The location, type, color and height of the antenna shall be reviewed and approved by the Design and Construction Board of Review prior to issuance of a permit.

(j) Antenna support structure is to be galvanized construction or equivalent.

(k) Plan, review, inspection, and permit fees shall be paid as provided in Section 1321.05(m).
(Ordinance No. 76-84 Passed 1-14-85).