

Chapter 1227: Site Development Standards

1227.01 Measurements, Computations, and Exceptions

(1) Distance Measurements

Unless otherwise expressly stated, distances specified in this Code are to be measured as the length of an imaginary straight line joining those points.

(2) Lot-Area Measurements

(A) Lot-Area Measurements

The area of a lot includes the total area within the lot lines of a lot, excluding any street right-of-way or other legal public dedication. For nonconforming lots, see Section 1226.05: Nonconforming Uses.

(B) Reductions in Lot Area Prohibited

No lot shall be reduced in area so that lot area per dwelling unit, lot width, yards, building area, or other requirements of this Code are not maintained.

(3) Lot-Width Measurements

Lot width is the horizontal distance between the side lot lines measured at the required front setback or at the building line for any irregularly shaped lot.

(4) Setbacks and Yards

(A) Measurements

Setbacks refer to the unobstructed, unoccupied open area between the foundation of the structure to the nearest lot line on which the structure is located. Any projection of the structure that extends more than two feet from the foundation shall meet the minimum setback requirements.

(B) Yards Required for Buildings

A yard or other open space required about a building shall not be included as part of a yard or other open space for another building.

(C) Front-Yard Setback

1.) Measurement

The front-yard setback shall extend the full width of the lot and shall be measured from the street right-of-way line to the structure.

2.) Double-Frontage Lot

A double-frontage lot shall provide a front-yard setback on both streets. The remaining yards shall meet the side-yard setback requirements.

3.) Corner Lot

A corner lot shall provide a front-yard setback on all streets. The remaining yards shall meet the side-yard setback requirements.

4.) Cul-de-Sac or Curved-Street Lot

For a cul-de-sac lot or a lot abutting a curved street, the front-yard setback shall follow the curve of the front property line.

(D) Architectural Projections

Open structures, such as porches, canopies, balconies, platforms, carports, covered patios and similar architectural projections, shall be considered parts of the building to which such open structures are attached and shall not project into the required minimum front, side or rear yards.

(5) Height Measurements and Requirements

(A) Height Measurement

- 1.) Building height shall be measured at the finished grade at front of building for any elevation fronting on a public street, including attics, half-stories, mezzanines, and at-grade structured parking, but excluding features that are completely below grade, such as basements, cellars, crawl spaces, subbasements, and underground parking structures.
- 2.) Where specified in feet, building height shall be measured as follows:
 - a.) To the tallest point of the roof for flat roofs;
 - b.) To the deck line of mansard roofs; and
 - c.) To one-half the distance between the eaves and ridge for gable, hip, and gambrel roofs.

(B) Height Limit Exceptions

Height limits shall not apply to belfries, chimneys, church roof structures not intended for human occupancy, church spires, clock towers, cupolas, domes, flagpoles, monuments, water towers, or similar structures or appurtenances, provided, however, the following:

- 1.) The appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;
- 2.) The appurtenance does not extend more than 15 feet above the maximum permitted building height, except as allowed in this Code;
- 3.) The appurtenance is not constructed for the purpose of providing additional floor area in the building; and
- 4.) The appurtenance complies with the screening requirements for mechanical equipment and appurtenances in Section 1229.07: Landscaping and Screening, Section 1229.08: Site Plan Review Standards, and Section 1229.10: Architectural Standards.
- 5.) Alternative energy systems provided they meet requirements of the applicable code regulating their use.

(C) Additional Height Allowance for Appurtenances

All appurtenances, as referenced in Subsection 1227.01(5)(B) that exceed 15 feet above the maximum permitted building height shall be permitted only upon approval by the PZC.

1227.02 Site Development Standards for Residential Districts

(1) Site Development Standards for Permitted Uses

Development shall be subject to the dimensional standards in Table 1227-1 unless otherwise modified in the use-specific standards or if specific site development standards exist for the conditional use in Section 1227.04: Site Development Standards for Conditional Uses in the R-R and R-1 District.

Table 1227-1 Residential Site Development Standards					
		R-R	R-1		R-2
			Without Sewer	With Sewer	
Site development standards for open space residential subdivisions are located in Section 1227.03.					
Minimum Lot Area (Square Feet)					
Minimum Lot Area	Single-Family Dwelling	55,000	43,560	21,780	21,780
	Two-Family Dwellings	N/A	65,340	43,560	30,000
	Multi-Family Dwellings	N/A	N/A	N/A	130,680
Maximum Density					
Maximum Density of Multi-Family Dwellings		N/A	N/A	N/A	8.5 units per acre
Minimum Lot Width (Feet)					
Minimum Lot Width at the Building Line	Single-Family Dwellings	120	120	85	85
	Two-Family Dwellings	N/A	150	120	100
	Multi-Family Dwellings	N/A	N/A	N/A	120
Minimum Lot Frontage [1]		85	85	85	85
Minimum Setbacks (Feet)					
Front [2]		50	50	40	40
Side (One Side)		15	15	10	10
Side (Total of Both Sides)		40	40	20	20
Rear		60	60	50	50
Maximum Overall Building Height (Feet)					
Maximum Height of Principal Buildings		36	36	36	48
Notes					
<p>[1] The continuous frontage element of this standard may be reduced to 50 feet by the Planning and Zoning Commission for lots fronting on a permanent cul-de-sac or other curved street fronts (e.g., knuckles), provided that the width of any such lot shall increase from the front lot line to the required width at the building line.</p> <p>[2] The minimum front yard setback shall be equal to the depth of existing front yards on the developed lots adjacent to or the subject lot if the developed lots are within 300 feet on the same block when fifty percent of such lots have a uniform building setback which is greater or less than required.</p>					

(2) Minimum Floor Area Requirements

Table 1227-2: Minimum Floor Area Requirements for Residential Dwellings		
Unit Type	Minimum Square Feet in the R-R District	Minimum Square Feet in all Other Districts
One-Story Single-Family Dwellings	1,500	900
Multiple Story Single-Family Dwellings	900 on the First Floor	750 on the First Floor
Multi-Family Dwelling Units or Apartments in a Mixed-Use Building	N/A	500 plus 150 for each bedroom

(3) Maximum Lot Coverage/Maximum Accessory Use Square Footage

- (A) Table 1227-3 defines the maximum lot coverage by principal structures and accessory structures in residential districts.

Table 1227-3: Maximum Lot Coverage for Residential Uses		
Lot Size	Maximum Lot Coverage by Principal Structures	Maximum Lot Coverage by Accessory Uses and Structures [1]
Up to 12,000 square feet	60%	10%
12,001 to 20,000 square feet	50%	10%
20,001 or more square feet	45%	15% with a maximum of 2,500 square feet.
NOTES		
[1] This coverage does not include the lot area covered by the principal structure. Accessory uses and structures that count toward this lot coverage are identified in Section 1226.03: Accessory Uses.		

- (B) In no case shall the total footprint of all accessory structures and buildings exceed the total footprint of the principal structure.

- (4) **Number of Principal Uses per Lot**
 Only one principally permitted use may be permitted on a single lot with the exception of multi-family dwellings in the R-2 District where multiple dwellings may be located on a single lot. For the purposes of this provision, a two-family dwelling and a multi-family dwelling shall each be considered a single principal use. A secondary living unit may be considered as a conditionally permitted use (mother-in-law suite).
- (5) **Centralized Water/Sewer Requirement**
 All development in the R-2 District shall be connected to an approved centralized sewer system and public water system.

(6) **Open Space Requirements**

The following open space requirements shall apply to any subdivision not subject to the open space residential subdivision requirements of Section 1227.03 Open Space Residential Subdivisions:

- (A) Any subdivision greater than 15 acres in the R-1 District must reserve a minimum of 10% of the gross acres, excluding existing public easements and rights-of-way, as permanent open space.
- (B) Any development in the R-2 District must reserve a minimum of 15% of the gross acres, exclusive of public or private right-of-ways, parking areas, land fragments between buildings or between buildings and parking areas, and minimum yards between property lines and buildings or parking areas.

(7) **Multiple-Family Dwellings**

- (A) Multiple-family dwellings may be permitted in the R-2 or PD Districts in accordance with the following provisions:
 - 1.) In order to ensure and maintain individual privacy, dwellings in a multiple-family development shall be arranged and spaced in compliance with the Table 1227-4.

Table 1227-4: Dimensional Standards for Multi-Family Dwellings

Minimum Side and Rear Yard Setback	25 feet plus 1 additional foot of setback for every 2 feet of wall length greater than 35 feet. This setback shall only apply when the adjacent walls are parallel to one another or are within 45 degrees of parallel.
Minimum Building Separation	50 feet. However, if the buildings are designed with primary living areas directly facing one another, the minimum separation shall be 85 feet.

- 2.) The minimum building separation may be reduced by the PZC (through site-plan review or PD plan approval) if they determine that adequate screening will be provided to ensure privacy for tenants.
- 3.) The arrangement of units within each building and between buildings shall maximize the privacy of each unit by providing screening walls and private yards where appropriate.
- 4.) Dwelling units in a multi-family dwelling shall meet the minimum floor area requirements as established in Subsection 1227.02 (2): Minimum Floor Area Requirements.
- 5.) There shall be a maximum impervious surface ratio of 70% for lots developed for multi-family dwellings.

1227.03 Open Space Residential Subdivisions

(1) **Open Space Subdivisions in the R-R District**

Open space subdivision plans may be permitted in the R-R District provided that they conform to the requirements set forth below:

(A) **Minimum Lot Area**

The minimum lot area requirement of the R-R District may be reduced to a minimum of 43,560 square feet.

(B) Minimum Site Development Standards

The required site development standards established in Table 1227-1 may be reduced as specified in Table 1227-5 below but only for proposed lots that will have access from an interior local street.

Table 1227-5: Site Development Standards for Open Space Subdivisions in the R-R District	
Standard	Minimum Requirement (Feet)
Front Yard Setback	50
Side Yard Setback (Each Side)	15
Rear Yard Setback	60
Lot Frontage	85
Lot Width at Building Line	100

(C) Required Open Space

An open space subdivision must reserve a minimum of 25% percent of the gross area, excluding rights-of-way, as permanent open space.

(D) Minimum Project Size

An open space subdivision project shall contain a minimum of 15 gross acres.

(E) Permitted Uses

Only single-family dwellings and accessory uses permitted within the R-R District may be permitted.

(F) Control of Open Space

- 1.) Open space shall be in the form of a conservation easement for preservation of undisturbed natural land areas, and may be owned and maintained by a homeowners' or condominium association, or dedication of lands to the city for park or recreational purposes may be permitted if approved by the City.
- 2.) All conservation easement documents shall be submitted to the Planning Department for review and must specify the ownership and use of the land and provide adequate provisions for the perpetual care and maintenance of the open space. The conservation easement documents shall be recorded along with the final plat upon City Council approval.

(G) Summit County Health Department Approval

Any proposed open space subdivision plan project that will be located within an area not served by public sewage treatment must demonstrate approval of any proposed on-site or alternative sewage treatment system by the Summit County Health Department, including department comment on the proposed individual lot sizes in the project.

(2) Open Space Subdivisions as a Permitted Use in the R-1 District
 Open space subdivisions with minimum lot areas of 17,000 square feet may be permitted in the R-1 District provided they conform to the requirements set forth below. Open space subdivisions with minimum lot areas of 13,600 square feet may be permitted as a conditional use in the R-1 District provided they conform to the requirements set forth in this section.

(A) Minimum Lot Area

The minimum lot area requirement of the R-1 District may be reduced to a minimum of 17,000 square feet.

(B) Minimum Site Development Standards

The required site development standards established in Table 1227-1 may be reduced as specified in Table 1227-6 below but only for proposed lots that will have access from an interior local street.

Table 1227-6: Site Development Standards for Open Space Subdivisions in the R-1 District	
Standard	Minimum Requirement (Feet)
Front Yard Setback	40
Side Yard Setback (Each Side)	10
Rear Yard Setback	40
Lot Frontage	85
Lot Width at Building Line	85

(C) Required Open Space

An open space subdivision must reserve a minimum of 20% percent of the gross area, excluding rights-of-way, as permanent open space.

(D) Minimum Project Size

An open space subdivision project shall contain a minimum of 10 gross acres.

(E) Permitted Uses

Only single-family dwellings and accessory uses permitted within the R-1 District may be permitted.

(F) Control of Open Space

1.) Open space shall be in the form of a conservation easement for preservation of undisturbed natural land areas, and may be owned and maintained by a homeowners' or condominium association, or dedication of lands to the city for park or recreational purposes may be permitted if approved by the city.

- 2.) All conservation easement documents shall be submitted to the Planning Department for review and must specify the ownership and use of the land and provide adequate provisions for the perpetual care and maintenance of the open space. The conservation easement documents shall be recorded along with the final plat upon City Council approval.
- (3) Open Space Subdivisions as a Conditional Use in the R-1 District
 Open space subdivision plans may be permitted as a conditional use in the R-1 District provided they conform to the requirements set forth below:
- (A) Conditional Use Permit
 The open space subdivision shall be subject to the review procedure established in Section 1224.08: Conditional Use Permit.
- (B) Minimum Lot Area
 The minimum lot area requirement of the R-1 District may be reduced to a minimum of 13,600 square feet.
- (C) Minimum Site Development Standards
 The required site development standards established in Table 1227-1 may be reduced as specified in Table 1227-7 below but only for proposed lots that will have access from an interior local street.

Table 1227-7: Site Development Standards for Open Space Subdivisions as Conditional Uses in the R-1 District	
Standard	Minimum Requirement (Feet)
Front Yard Setback	40
Side Yard Setback (Each Side)	10
Rear Yard Setback	40
Lot Frontage	75
Lot Width at Building Line	75

- (D) Required Open Space
 An open space subdivision as a conditional use must reserve a minimum of 30% percent of the gross area, excluding right-of-ways, as permanent open space.
- (E) Minimum Project Size
 An open space subdivision project shall contain a minimum of 10 gross acres and must adhere to the standards of the subdivision regulations.
- (F) Permitted Uses
 Only single-family dwellings and accessory uses permitted within the R-1 District may be permitted.

(G) Control of Open Space

- 1.) Open space shall be in the form of a conservation easement for preservation of undisturbed natural land areas, and may be owned and maintained by a homeowners’ or condominium association, or dedication of lands to the city for park or recreational purposes may be permitted if approved by the city.
- 2.) All conservation easement documents shall be submitted to the Planning Department for review and must specify the ownership and use of the land and provide adequate provisions for the perpetual care and maintenance of the open space. The conservation easement documents shall be recorded along with the final plat upon City Council approval.

1227.04 Site Development Standards for Conditional Uses in the R-R and R-1 Districts

Table 1227-8 establishes site development standards for certain conditional uses in addition to any conditions or other regulations that may be applicable to the use.

Table 1227-8 Site Development Standards for Conditional Uses						
	Minimum Lot Area	Minimum Lot Width at the Building Line	Minimum Building Setback		Minimum Parking Setback	
			Front	Side and Rear [1] [2]	Front	Side and Rear [1]
Public and Institutional Uses						
Community centers	1 acre	150	75	30	50	20
Educational facilities (public or private)	3 acres	200	75	30	50	20
Libraries, museums, galleries, and cultural centers	1 acre	150	75	30	50	20
Public safety facilities	1 acre	150	50	30	50	20
Religious places of worship	1 acre	150	75	30	50	20
NOTE: [1] Side yard setbacks shall be measured from each side. [2] The minimum setback shall be increased by one foot for each foot of building wall length greater than 30 feet, up to 100 feet.						

1227.05 Site Development Standards for Business Districts

Development shall be subject to the dimensional standards in Table 1227-9 unless otherwise modified in the use-specific standards or if specific site development standards exist for a conditional use in Section 1227.04: Site Development Standards for Conditional Uses in the R-R and R-1 Districts above.

Table 1227-9 Business Site Development Standards

	B-1	B-2	B-3	B-4	B-5	I-1
Minimum Lot Area (Acres)						
Minimum Lot Area	1	1	1	1	1	1
Minimum Lot Width (Feet)						
Minimum Lot Width at the Building Line	150	150	100	150	150	150
Minimum Building Setback (Feet)						
Front	50	50	35	50	50	50
Side (Each Side)	25 or the height of the building, whichever is greater					
Rear	25 or the height of the building, whichever is greater					
Maximum Overall Building Height (Feet)						
Maximum Height of Principal Buildings	48	60	36	60	60	60
Maximum Building Footprint (square feet)						
Maximum Footprint Size	None	None	10,000	None	None	None
Maximum Lot Coverage						
Maximum Lot Coverage by Buildings or Accessory Uses (excluding parking areas)	33%	33%	25%	33%	33%	33%
Maximum Lot Coverage by Impervious Surfaces	75%	75%	65%	70%	70%	70%