

Proposed: 6/7/2021

ORDINANCE NO. 70-2021 (PD), *Second Reading*

By Council Member Ungar

An Ordinance amending various sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance introduce amendments to the Zoning Code of the Codified Ordinances of the City of Cleveland Heights; and

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, such amending Ordinance may be introduced upon Council's own initiative; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such amendments by Council, they shall be transmitted to the Planning Commission for its consideration and recommendation; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the Planning Commission may recommend to Council that the amendments be approved as submitted to the Planning Commission, or that they be modified, or that they be denied; and

WHEREAS, Council must hold a public hearing on proposed amendments to the Zoning Code; and

WHEREAS, on March 20, 2017 the City Council adopted the City of Cleveland Heights Master Plan (the "Master Plan") containing a great deal of discussion, analysis, and proposed actions regarding transportation and parking; and

WHEREAS, based upon repeated inquiries from residents, the number of applications at the Architectural Board of Review ("ABR") and the Board of Zoning Appeals ("BZA"), and review of the existing regulations related to parking within the City, those regulations appear incompatible with current standards and best practices, and modern vehicular use; and

WHEREAS, City staff reviewed the regulations of neighboring municipalities and other municipalities in Ohio and elsewhere for best practices; and

ORDINANCE NO. 70-2021 (PD), *Second Reading*

WHEREAS, in order to address the referenced issues with the Zoning Code and implement the actions of the Master Plan, zoning text amendments that revise the parking regulations are necessary; and

WHEREAS, on June 7, 2021, Council introduced this Ordinance to amend certain sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights and transmitted the same to the Planning Commission; and

WHEREAS, the Planning Commission held public hearings and discussed this Ordinance at its June 29, 2021 and August 19, 2021 meetings; and

WHEREAS, at the conclusion of its August 19, 2021, meeting, the Planning Commission recommended that the proposed zoning amendments be adopted by Council with modifications; and

WHEREAS, this Council held a public hearing concerning the Planning Commission's recommendation on November 1, 2021, at 6:00 PM; and

WHEREAS, Council has determined to adopt the Planning Commission's recommendation as set forth herein.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The amendments to Part Eleven, *Zoning Code*, of the Codified Ordinances of the City of Cleveland Heights set forth in Exhibit A attached hereto and incorporated herein by reference, with the language of the new provisions underlined and the provisions to be deleted struck out or otherwise noted, shall be and are hereby adopted.

SECTION 2. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the desirability of application of the amendments to pending projects and for the residents of the City to avail themselves of the amendments at the earliest time possible. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

ORDINANCE NO. 70-2021 (PD), *Second Reading*

JASON S. STEIN
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

ORDINANCE NO. 70-2021 (PD), *Second Reading*

Exhibit A