



**Proposed Zoning Text Amendments – Private
Parking Garages and Other Ancillary Changes
(Ordinance No. 70-2021)**

August 23, 2021

Update to Committee of the Whole

Ordinance No. 70-2021 – Background

- Existing zoning standards related to private parking garages are insufficient and inflexible – has led to barriers to investment and sustainability
- Zoning Code as a “Living and Breathing Document”
- Planning staff reviewed the regulations related to private parking garages for many of our neighbors, select cities in Ohio and the US
- ABR and BZA cases
- Master Plan – Action #5 under Transportation (Goal B) – “Lower Zoning Code Parking Requirements for Residential and Commercial Structures”
- Presentation at Committee of the Whole on April 26, 2021
- Staff/Law drafted Ordinance No. 70-2021
- Presentation and Referral by Council on June 7, 2021
- Planning Commission meeting on June 29, 2021
- Public comment / Additional coordination with Housing Inspections and Police Departments
- Planning Commission recommendation on August 19, 2021

Comments from June 29 PC Meeting / Public / Staff Review

- Concern about potential abuse of new flexibility to not be required to have a garage
- Desire to have more specific standards
- Draft changes hard to review due to lack of page numbers and some missing references
- Question about carriage houses and their relationship to garages
- Concern of time periods of people who are working on cars in driveways
- Additional clarity on how junk motor vehicle provisions are enforced
- Suggestion to still have a requirement for enclosed spaces, but allow for exceptions
- Revisions are necessary to clarify accessory uses vs. structures – re: fences
- Need definitions for “façade” and “primary structure”
- Clarification on role of BZA vs. Planning Commission
- Public supportive of changes, but concerned about enforcement

The Proposed Zoning Text Amendments revise and clarify the zoning regulations related to parking, notably private parking garages to be more flexible, streamlined, and modern. At its core is ~~eliminating~~ providing exceptions to the rather restrictive regulation that all off-street parking should be in an enclosed (detached) parking garage. The Proposed Zoning Text Amendments also include ancillary changes to other regulations, including fences, to ensure consistency throughout the Code.

Ordinance No. 70-2021 – Suggested PC Changes

Require Enclosed Parking Spaces, but add Exceptions (Chapter 1161)

- Reintroduce requirement for enclosed parking spaces in Schedule 1161.03, but add exceptions

Schedule 1161.03
REQUIRED OFF-STREET PARKING SPACES (a)

	Principal Building or Use	Minimum Spaces Required
(a)	Residential Uses:	
(1)	Single-family dwellings	2 spaces, of which both spaces shall be enclosed (a) (b)
(2)	Two-family dwellings	2 spaces for each dwelling unit, of which <u>not less than .5 space</u> both spaces per dwelling unit shall be enclosed (a) (b) (c)
(3)	Townhouses	2 spaces for each dwelling unit, of which both spaces per dwelling unit shall be enclosed: (b)
(4)	Multi-family dwelling	1 space for each dwelling unit, <u>of which not less than .5 space per unit shall be enclosed.</u>
(5)	Senior citizen apartments	1 space for each dwelling unit, <u>of which not less than 0.5 spaces per dwelling unit shall be enclosed.</u>
(6)	Lodging house, boarding houses	1 space for each bed
(7)	Dormitories, sororities and fraternities	1 space for each 3 persons based on the maximum capacity as established in the Housing Code
(8)	Nursing homes	1 space per 3 beds

Notes to Schedule 1161.03:

(a) Unless modified by the Planning Commission, per Section 1161.05.

(b) Parking spaces shall be enclosed, except as otherwise provided in Section 1161.051.

(c) At least 0.5 parking spaces shall be enclosed, except as otherwise provided in Section 1161.051.

Ordinance No. 70-2021 – Suggested PC Changes

Require Enclosed Parking Spaces, but add Exceptions (Chapter 1161) Cont'd

- Add new Section 1161.051 Exceptions to Required Enclosed Private Parking Spaces

1161.051 EXCEPTIONS TO REQUIRED ENCLOSED PRIVATE PARKING SPACES

Any application that will not be providing the requisite enclosed parking spaces as indicated in Schedule 1161.03 shall require review and approval by the Planning Commission based upon the regulations and criteria of this section.

(a) Exceptions. The required off-street parking spaces for single-family dwellings, two-family dwellings, and townhouses shall be enclosed in a detached or attached private parking garage, as indicated in Schedule 1161.03, unless one (1) or more of the following exceptions can be substantiated:

(i) The parcel is a legal, non-conforming lot that does not have the requisite minimum lot area or lot width to accommodate a Code-conforming private parking garage.

(ii) Special conditions exist specific to the lot that are not applicable generally to other lots in the same Zoning District that render a Code-conforming private parking garage impractical.

(iii) If the previously existing private parking garage on the lot was a single-car garage for single-family dwelling.



(iv) If an existing private parking garage structure and associated remnant parking pavement are proposed to be removed and replaced with grass or landscaping, thereby increasing green or open space.

(v) If a substantial expansion or addition to the principal structure is proposed.

(b) Landscape Plan Required. Any application that will not be providing the requisite enclosed private parking spaces shall include a Landscape Plan that addresses stormwater management and minimizes adverse impact on neighboring properties, subject to Chapter 1166 of the Zoning Code.

(c) All other provisions of City ordinances relating to zoning, demolition construction, use and maintenance of residential buildings shall apply, including, but not limited to, impervious surface coverage, yard setbacks, parking pad dimensions, driveway dimensions, parking requirements, and utilization of driveways for parking.

Ordinance No. 70-2021 – Process

1. Introduction of amending ordinance to Council by staff – **June 7, 2021**
2. Referral by Council to Planning Commission – **June 7, 2021**
3. Planning Commission consideration and recommendation – **August 19, 2021** 
4. Public hearing at Council – *Potentially 9/30* 
5. Action by Council – *Potentially 9/30*

Opportunities for public comment 



Ordinance No. 70-2021 – Public Comment

The screenshot shows a web browser window with the URL <https://www.clevelandheights.com/183/Planning-Department>. The page title is "Planning Department | Cleveland Heights". The browser's address bar shows the URL and a zoom level of 80%. The page content includes a navigation menu on the left with items: History / Architecture, Planning and Zoning, Studies & Plans, Sustainability, and Staff Directory. The main content area features a section titled "Proposal to Amend the Zoning Code" with a sub-section "Zoning Code Amendment Process (see Chapter 1119 of the Zoning Code)". The process is described as follows: "Introduction of amending ordinance to Council (Section 1119.02) – Completed 6/14". A numbered list of five steps follows: 1. Referral to Planning Commission for consideration and recommendation. The Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days for its consideration and recommendations (Section 1119.03) – Completed on June 14, 2021. 2. Planning Commission consideration and recommendation at regularly-scheduled meeting or special meeting or workshop – all open to the public to watch (Section 1119.04) – Scheduled for June 29, 2021. 3. Public hearing by Council, including appropriate noticing (Section 1119.05). 4. Action by Council. After the public hearing Council shall either adopt or deny the recommendation of the Planning Commission (Section 1119.06). 5. If Council grants its final approval to the amendment, the amendment becomes effective 30 days later. At the bottom, there is a link for "Ordinance 070-2021 (PDF) - Detailed description of and illustrations related to the proposed amendment." On the right side of the page, there is contact information for Karen Knittel, including an email link and a phone number: 216-291-4855.

- Information on City Website (Planning Department webpage)
- Comments can be transmitted via email to ezamft@clvhts.com or Directly to Planning Commission