

ORDINANCE 2021- 23

**AN ORDINANCE AMENDING TITLE NINE – ZONING USE DISTRICTS OF THE PARMA HEIGHTS
CODIFIED ORDINANCES – SECTION 1185.02 PERMITTED USES**

WHEREAS, the City of Parma Heights adopted Chapter 1185 of the Codified Ordinances pertaining to regulating Mixed Use Districts; and

WHEREAS, the Council is desirous of amending Section 1185.02 in order to provide that Self Service Storage is a conditionally permitted use; and

WHEREAS, the proposed amendment has been properly submitted to the Parma Heights Planning Commission for its approval and report, which the Commission after due consideration and public hearing thereon has submitted its report to the Council; and

WHEREAS, notice of public hearing before this Council on said proposed amendment has been duly published, and pursuant thereto a full public hearing thereon has been had as proscribed by law; and

WHEREAS, the City of Parma Heights Council deems it in the best interest and for the health, safety and welfare of the City of Parma Heights to amend Section 1185.02 of the Codified Ordinances in order to provide that Self Service Storage is a conditionally permitted use.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, Cuyahoga County, State of Ohio that:

SECTION 1. Section 1185.02 of the City's Codified Ordinances is amended to read as fully set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. Sections of the Codified Ordinances in conflict herewith are hereby and herein repealed and amended accordingly. All other provisions of the City's Codified Ordinances not inconsistent herewith shall remain in full force and effect.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and that deliberations of this Council and of its committees, resulting in such formal action, took place in meeting open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect after adoption and at the earliest time allowed by law.

PASSED: July 7, 2021

ATTEST: *Christa Pearson*

FILED WITH
THE MAYOR: July 7, 2021

First Reading: June 14, 2021
Second Reading: June 28, 2021
Final Reading: July 7, 2021

Alu Selb
PRESIDENT OF COUNCIL

July 7, 2021
APPROVED

Neil By
MAYOR



1185.02 PERMITTED USES.

EXHIBIT A

No building, structure, premises, or portion thereof, shall be used, arranged to be used, or designed to be used, except as established below.

(a) Permitted Use Table Summary. [Table 1185.02](#) sets forth the uses allowed in the Mixed Use Districts. The abbreviations used in the table are described as follows:

(1) Uses permitted by right. A "P" in a cell indicates that the use is allowed by right as a principal use in the respective district provided that all requirements of other City ordinances and this Planning and Zoning Code have been met.

(2) Conditional uses. A "C" in a cell indicates that the use is regulated as a conditional use. The use may be permitted in the respective district if approved through the conditional use review process in compliance with [Chapter 1135](#), provided that all standards for specific uses found in [Chapter 1195](#), Supplemental Use Requirements, or elsewhere as referenced herein and other relevant City ordinances and this Planning and Zoning Code have been met.

(3) Accessory uses. An "A" in a cell indicates that the use is a permitted accessory use, provided it is clearly incidental and subordinate to a permitted principal or conditional use listed in [Table 1185.02](#) and that the requirements of all other City ordinances and this Planning and Zoning Code have been met.

(4) Uses not permitted.

A. An "N" in a cell indicates that a use is not permitted in the respective district.

B. Any use not specifically listed in [Table 1185.02](#) shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Code and/or the Zoning Map as provided in [Chapter 1163](#) or approval as a similar use as provided in [Section 1135.10](#).

(b) Compliance with Standards. Although a use may be indicated as a permitted principal, conditional or accessory use in a particular district, it shall not be approved on a lot unless it can be located thereon in full compliance with all of the standards and other regulations of this Code applicable to the specific use and lot in question, including but not limited to any supplemental use-specific standards referenced in [Table 1135.02](#).

(c) Indoor/Outdoor Operations. All permitted uses in the Mixed Use Districts shall be conducted within a fully enclosed building unless otherwise expressly authorized. This requirement does not apply to accessory off-street parking and loading areas.

<i>Table 1185.02 Permitted Uses</i>				
	<i>TC-MUD Town Center Mixed-Use</i>	<i>W130-MUD W 130th St. Mixed-Use</i>	<i>N-MUD Neighborhood Mixed-Use</i>	<i>Use-Specific Regulations</i>
Residential:				
Artist Live/Work units, above ground floor	P	P	P	1195.03(a)
Artist Live/Work units, ground floor	C	C	P	1195.03(a)
Dwelling Units, above nonresidential ground floor	P	P	P	
Group Home, Large	C	C	C	1195.03(b)
Multi-Family Building	C	C	P	1195.03(c)
Skilled Nursing and Rehabilitation Facility	C	C	C	1195.03(d)
Town House /Attached Single-Family Dwellings	C	C	P	1195.03(e)
Public and Civic:				
Cultural Institution, Libraries, Religious Assembly	P	P	P	
Day Care Centers, child and adult	P	P	P	
Hospitals	N	C	N	1195.04(a)
Parks, Other Public Open Space	P	P	P	

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	<i>TC-MUD Town Center Mixed-Use</i>	<i>W130-MUD W 130th St. Mixed-Use</i>	<i>N-MUD Neighborhood Mixed-Use</i>	<i>Use-Specific Regulations</i>
Public Safety Services	P	P	P	
Recreational Facilities, indoor, public or private	N	C	C	1195.04(b)
Schools, colleges, trade schools	C	C	C	1195.04(c)
Schools, primary and secondary	C	C	C	1195.04(d)
Commercial:				
Animal Services, including veterinary clinics, sales and grooming (but not including boarding kennel)	P	P	P	
Artist Work or Sales Space, Artisan production/fabrication	P	P	P	
Brew pubs and wine bars	P	P	C[1]	1195.05(a)
Business services	P	P	P	
Drive-Through Facility	C	C	N	1195.05(b)
Entertainment, indoor, in association with a permitted use	A	A	C	1195.05(c)
Financial Services	P	P	P[1]	
Funeral Home	P	P	P	
Medical Marijuana Dispensary	C	C	N	Chap 1190
Medical/Dental offices or clinic	P	P	P[1]	
Medication Maintenance Facility or Dispensary	N	C	N	1195.05(f)
Micro production facility (Micro-brewery, Micro-distillery, Micro-winery)	C	C	N	1195.05(a)
Offices, administrative, general, professional	P	P	P[1]	
Outdoor Dining in association with a restaurant	C	C	C	1195.05(g)
Restaurants	P	P	P[1]	
Personal Service, including health clubs and gyms	P	P	P[1]	
Repair Service, consumer	P	P	P[1]	
Permanent Cosmetics Services in association with a permitted personal service establishment	C	C	N	1195.05(h)
Tattoo or Body Piercing Services	N	C	N	Chap 733
Retail Sales, general	P	P	P[1]	
Laboratories and Research Facilities	C	C	N	1195.05(d)
Light Industrial	N	C	N	1195.05(d)
Limited Outdoor Operations	N	C	N	1195.05(e)
Storage, Self-Service	N	C	N	1195.05(i)
Automotive Uses:				
Car wash	C	C	C	1195.06(a)
Gas station	C	C	C	1195.06(b)
Parking, Commercial Garage	C	C	C	1195.06(c)
Vehicle repair, restoration	C	C	C	1195.06(d)
Vehicle sales, New car sales and associated service	C	C	C	1195.06(e)
Vehicle service	C	C	C	1195.06(f)
Other Accessory Uses and Structures				
Fences and Walls	A	A	A	
Landscape features (including gardens, fountains, sidewalks, and lawns) and ornamental structures	A	A	A	
Maintenance, storage, utility and waste disposal facilities in enclosed structure	A	A	A	
Off-street parking and loading	A	A	A	

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Outdoor recreational structures, accessory to a day care center	A	A	A	
Signage	A	A	A	
Temporary transient outdoor business/sales[2]	A	A	A	1195.07

P = permitted by right; C = conditional use; A = accessory use; N = not allowed

[1] Individual business establishments are limited to a maximum of 5,000 square feet in area. Larger establishments or expansions beyond 5,000 square feet require conditional use approval.

[2] Permitted only upon obtaining authorization from the Director of Public Services.