



Planning Commission Minutes Public Hearing December 4, 2023

Chairman McCall: The City of Parma Heights Planning Commission meeting and Public Hearing of Monday, December 4, 2023, is called to order at 5:33 p.m. Roll call please.

Clerk Allen: Roll Call: Aye: Haase, Humphrey, Litten, McCall.

Chairman McCall made a motion to excuse Mr. Sepich; seconded by Mr. Litten

Clerk Allen: Roll Call: Aye: Humphrey, Litten, Haase, McCall.

Motion Carried

Chairman McCall: Please stand for the Pledge of Allegiance.

Pledge of Allegiance is spoken.

OTHERS PRESENT: Assistant Law Director O'Malley, Service Director Sepik, City Engineer Pete DiFranco, and Clerk Allen

Chairman McCall began the meeting with approval of the minutes from August 7th, 2023. Motion from Mr. Humphrey; seconded by Mr. Litten.

Clerk Allen: Roll Call: Aye: Litten, Haase, Humphrey, McCall.

Minutes approved

Chairman McCall moved into the Public Hearing portion of the meeting allowing the public to comment (no public in attendance), and read each of the following proposed legislation into the record:

Ordinance no. 2023 – 77 An ordinance amending chapter 1105 entitled “Storm Water Management, Sediment and Erosion Control and Wetlands Protection” of the Parma Heights Codified Ordinances, and renaming Chapter 1105 “Erosion and Sediment Control”.

Ordinance no. 2023 – 78 An ordinance establishing and enacting Chapter 1106 of the codified ordinances of the City of Parma Heights, entitled, “Comprehensive Stormwater Management” to provide for a new chapter of the Planning and Zoning code.

Ordinance no. 2023 – 79 An ordinance establishing and enacting Chapter 1107 of the codified ordinances of the City of Parma Heights, entitled, “Riparian Setbacks” to provide for a new chapter of the Planning and Zoning code.

Ordinance no. 2023 – 80 An ordinance establishing and enacting Chapter 1108 of the codified ordinances of the City of Parma Heights, entitled, “Wetland Setbacks” to provide for a new chapter of

the Planning and Zoning code. We have with us Mr. O'Malley, Mr. DiFranco, and Mr. Sepik to talk to us about what we are doing with each one of these ordinances. Mr. O'Malley.....

Mr. O'Malley responded that these items are a mandatory referral to the planning commission of any ordinance that the council is contemplating the changes in the zoning code which is one example of things that are sent to the Planning Commission. Your task is to consider the input of the public (no public attended) and then your thoughts and comments and your recommendation to the City Council within 60 days or such additional time that maybe allotted by council. This type of ordinance is common placed throughout the State of Ohio and the EPA expects and requires and that's what this is all about. In our ordinances it happens to be in the Zoning code.

Mr. DiFranco added that these codes are required for city to comply with the National Pollutant Discharge Elimination System, it's so that the city complies with the Clean Water Act passed in 1972 by the Federal Government. The government issues a permit to the state and then the state covers the cities under that permit. These updates are to keep the city in compliance with that permit. Every 5 or 6 years the permit gets updated. Before 1972 there were no codes related to storm water and that resulted in a lot of flooding and water quality issues. You might remember the Cuyahoga River Fire, and that's one of the reasons why the EPA was formed. With each generation of permits they focus on specific adjectives. The first generation was to get cities to take an inventory of stormwater systems. The second generation focused on the quantity of stormwater. The third generation focused on stormwater quality. The fourth generation is to refine our plans. The codes used to be all covered under 1105 but are now being split up into four sections, EPA recommended that they get their own separate code to better enforce and for applicants to understand. These are based on model codes that the Chagrin River Watershed partners created and most cities in N.E. Ohio have adopted in one form or another. I'm happy to answer questions.

Chairman McCall asked if there were any questions among his colleagues?

Mr. Litten asked about if this is going to be burdensome to a developer who want to come into the city? I understand it's really too bad because the EPA is the entity stipulating the things that need to be complied with, but will this deter developers coming into the city? Is this more of a burden for a developer?

Mr. DiFranco responded that they might say so, but the way these codes have been implemented since 1972, is to gradually get where we are today. Approximately 50 years a slow build up, and in my experience most contractors and developers understand them and have no problem with them.

Mr. O'Malley added that the code enables the Planning Commission to consider petitions by the developer for relief and deviation or exception from some of the codes, sections to the extent that they are the enforcement might be causing some heart ship. There is some relief to come to them if that should ever be an issue.

Chairman McCall thanked them for the information and added that thinking about the ordinances and storm water, it's been a topic of discussion in N.E. Ohio for a few years now. The Nathan Hale Retention Basin in Parma Heights and possibly looking at the other one, watching Middleburg Heights I believe are putting one in on Pearl Road, Parma has done the same thing. My own experience has shown that these are needed, because my house that was built before 1972 flooded, so I waterproofed

my entire basement, it flooded after that and when the county came out, found a piece of sandstone was under the street causing the water to flow. Back then what was known about this. I get separating these and making sure that we're following the guidelines of Federal State and that in times of need to apply for certain assistance because we have this in place. Is that a fair statement?

Mr. DiFranco responded yes. You're referring to grants and assistance. Yes, they would want to make sure that we're in compliance with state and federal requirements.

Chairman McCall added that he believes the main objective is to recommend this to Council so that they can do their due diligence, correct? Is there were any further questions?

Mr. Humphrey asked if the cities that boarder Parma Heights have all adopted similar ordinances?

Mr. DiFranco responded that he hasn't checked but they would be required to.

Chairman McCall added if there is no further discussion, I move to recommend adoption of Ordinance 2023 – 77; seconded by Mr. Humphrey.

Clerk Allen: Roll Call: Aye: Haase, Humphrey, Litten, McCall

Chairman McCall moved to recommend adoption of Ordinance 2023 – 78; seconded by Mr. Humphrey.

Clerk Allen: Roll Call: Aye: Humphrey, Litten, Haase, McCall

Chairman McCall moved to recommend adoption of Ordinance 2023 – 79; seconded by Mr. Litten.

Clerk Allen: Roll Call: Aye: Litten, Haase, Humphrey, McCall

Chairman McCall moved to recommend adoption of Ordinance 2023 – 80; seconded by Mr. Litten.

Clerk Allen: Roll Call: Aye: Haase, Humphrey, Litten, McCall

Chairman McCall thanked Mr. O'Malley, Mr. Sepik, Mr. DiFranco and Barbara for providing very detailed information in regards to the details in the packet and your explanation on how this will impact us in meeting the guidelines of the Federal Government and the State. With that, I move for adjournment; Seconded by Mr. Humphrey.

Clerk Allen: Roll Call: Aye: Humphrey, Litten, Haase, McCall

Meeting is adjourned at 5:48 p.m. on December 4, 2023.


Barbara Allen
Secretary, Planning Commission


Jim McCall
Chairman, Planning Commission