

Planning Commission &
Public Hearing Minutes
August 26, 2024

Chairman McCall called the City of Parma Heights Planning Commission meeting and Public Hearing of Monday, August 26, 2024, called to order at 5:30 p.m.

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

OTHERS PRESENT: Law Director Schneider, Assistant Law Director O'Malley, Chief Building Official Marty Surella, Service Director Sepik and Clerk Allen

Pledge of Allegiance is spoken.

Chairman McCall opened the discussion for the first item on the agenda, consideration of a lot consolidation at 5957 Hodgeman, we are going to table this matter for another day.

Mr. Humphrey moved; seconded by Mr. Litten to table the 5957 Hodgeman lot consolidation.

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

Motion Carried

Chairman McCall entertained the next consideration for a lot split and consolidation for PPN #471-22-040 and PPN #471-22-042 located at 6025 and 6029 Maplecliff Drive. We have the seller Ms. Smith and Mr. Cody Crum, 6045 York Road representing Neff and Associates. Would you take a moment to walk us through what you are looking to do, we have the information and updated plan.

Mr. Crum responded that Ms. Smith owes the lots marked as "A" and we're looking to split a portion of it back to the existing property line and sell the remaining portion to her neighbor at 6025 Maplecliff Drive.

Chairman McCall asked Ms. Smith if she is basically trying to reduce what you own.

Ms. Smith agreed, yes. I live there by myself now and it's just so much property to take care, the woods, crick, grass. He has been helping me since my husband passed away and we would like to preserve it. So that if and when I leave no one comes in and junk it up. This way he will just continue to take care of it.

Mr. Surella stated that the city has no issues.

Chairman McCall asked if any commissioners have any questions or concerns? Seeing none. Do I have a motion to approve the lot split and consolidation for 6025 and 6029 Maplecliff Drive. Motioned by Mr. Litten; seconded by Mr. Sepich.

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

Motion Carried

Chairman McCall moved on to the next item on the agenda. Recess to hold a Public Hearing on the proposed amendments to Chapter 752, 1190 and 1185.02 of the Parma Heights Codified Ordinances. Motioned by Councilman Haase; Seconded by Mr. Litten.

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

Motion Carried

Director Schneider stated that we have a new use that was created under Ohio Law in November of 2023; adult marijuana use. Previously we had on our books we had zoning that outlawed cultivation and processing centers. The two larger pieces of the distribution but permitted medical marijuana dispensaries. These are permitted on the east and west end of town in those mixed-use districts as conditional uses. The legislation in front of you takes into consideration this new use and proposes adjustments to our marijuana dispensary licensing. It eliminates the distinction between medical, adult use and dual use. There are some minor changes as well as referred to you by Council in front of you. Chapter 1190 of our zoning code is our formal land use regulation of dispensaries. The third item is our actual zoning table for mixed-use districts, 1185.02. This is where we list conditional uses available per mixed-use districts. The amendments before you have been referred by council would allow a conditional use and allow it as a conditional use in all three of those districts. Such a referral calls for a public meeting with appropriate notice. Clerk Allen has appropriate notice been given in a newspaper of general circulation at least 15 days prior to today's hearing?

Clerk Allen responded, yes it has.

Director Schneider added that this is to give the public an opportunity to come in and state any comments they have to this Planning Commission or any other public officials to take any consideration on the record. At this time, I would call out for any public comment at this time, calling a second time, and finally a third and final time is there any member of the public who has signed in that would like to be identified and provide public comment to these items no greater than three minutes. Hearing none, that concludes our public hearing. Upon motion the Commission can resume its operations this evening.

Chairman McCall asked for a motion to resume the Special Planning Commission meeting. Motioned by Mr. Sepich; Seconded by Mr. Litten.

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

Motion Carried

Chairman McCall continued to Ordinance 2024 – 49 An Ordinance Amending Chapter 752 Previously Entitled “Medical Marijuana Operations” Of The Parma Heights Codified Ordinances, And Declaring An Emergency. Director Schneider.....

Director Schneider added that he would like to point out this does not change the geography of our mixed-use districts, the do not change the classifications of zoning within our mixed-use districts but they do change the use to each of our mixed-use districts. All three of these items were referred over to the Planning Commission by the Council on the 29th of July, 2024. Today the city is not seeking action on these items, but is here to answer questions. The city will be recommending that the Planning Commission take action on September 3,

2024 at the scheduled Special Planning Commission before it goes back to City Council. You should note that you have color toned amendments and may not be the final amendments to come before you.

Chairman McCall asked if anyone has any questions on this item?

Mr. Litten asked about the three categories of marijuana.

Director Schneider responded that yes there are three specifications of marijuana supply types under the State. Medical, adult and dual use are the three regulated forms of licenses. Licenses are still regulated by the state which can limit the number of licenses issued.

Chairman McCall stated that we did receive the amended legislation to show the change in the terminology and the application process and who oversees the different categories.

Further discussion was had amongst the members and Director Schneider regarding the amendments on the legislation.

Chairman McCall made a motion to approve the amended items for Ordinance 2024-49 in section 752. Planning Exhibit #1 Seconded by Councilman Haase.

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

Motion Carried

Chairman McCall read the next item: Ordinance 2024-50 An Ordinance Amending Chapter 1190 Previously Entitled "Medical Marijuana Dispensaries" of the Parma Heights Codified Ordinances, And Declaring an Emergency. This is changing the wording from Medical Marijuana to Marijuana and is changing the zoning to possible mixed-use district.

Director Schneider stated that this will allow for the zoning in the city of Parma Heights. This will not allow for cultivation or processing for distribution. We do permit dispensaries, which is the retail level or chain. It speaks to some restrictions for zoning purposes. The city is still considering what would be an appropriate lot size, the current item indicates 12,000 square feet minimum requirement which is about the lot size of a residence here in the city. The city is evaluating that as we speak. There is a one mile set back, there shall be no more than one in a mixed-use district. The highlighted sections are in there and I would ask you to note them as Planning Exhibit 2 for your consideration.

Mr. Sepich asked if the criteria for licensing change for medical verses adult use?

Director Schneider responded that in our local license it does not. As I've mentioned, all of these items eliminate distinction between the three, however there are regulations at the State level because they are reviewed by each of the Boards that oversee them. At the local level we don't want to create our own division of cannabis control, we have limited resources here. We've eliminated that distinction as well as many of our neighbors have done.

Chairman McCall made a motion to amend the Planning Exhibit 2, Ordinance 2024-50, do I have a second? Seconded by Mr. Litten.

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

Motion Carried

Chairman McCall read the next item: Ordinance 2024-51, An ordinance amending section 1185.02 entitled permitted uses of the Parma Heights Codified Ordinances and declaring an emergency. Director Schneider...

Director Schneider explained there are no further amendments to offer at this time, this is our mixed-use table. We firmly have medical marijuana as a conditional use in two of our three mixed-use districts. This eliminates that distinction on that table between medical and any other form of dispensary and it allows a conditional use in all three of our mixed-used districts.

Chairman McCall made the comment that there is no action to take on Ordinance 2024 – 51.

Mr. Humphrey asked about neighboring cities, could you give some examples around here.

Director Schneider responded that he would focus on Parma, although there are a number of communities in the area. Parma chose expediency over more elaborate regulatory matters. They previously allowed medical marijuana supply chain in their industrial sections. Much of these amendments were eliminating the distinction, but they left it in their industrial sections. Parma is actually granted for licenses by the state upon application. They ultimately had to take those applicants to the Board of Zoning Appeals to get a variance on use to allow a retail business in an industrial setting. They don't have the protections of the conditions on the Conditional Use and they don't have some of the other items we've listed in here. If an applicant applied, they are able to go before the Board of Zoning Appeals and move forward if approved.


Mr. Haase stated that he commends Director Schneider for his work on this, your explanations have been very easy to understand. I also want to commend my council colleagues for their work in helping to amend these documents as well.

Director Schneider thanked him for his kind words and also appreciate the work of the mayor as well as the council members as observers of this operation it's going to move this city.

Chairman McCall added that before you are the preliminary library plans for the City of Parma Heights, please review and make notes for the upcoming meeting in September. If there's nothing further, do I have a motion for adjournment; Motioned by Haase; seconded by Sepich.

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

Meeting is adjourned at 6:14 p.m. on August 26, 2024.


Barbara Allen
Secretary, Planning Commission


Jim McCall
Chairman, Planning Commission