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CITY COUNCIL

- Ruth Gray**
President
- Sara Continenza**
- Chanell Elston**
- John Fahsbender**
- Joe Frank**
- Susan Hardy**
- Justin Tisdale**

NOTICE OF MEETING

MEETING OF: ZONING & PLANNING COMMITTEE

CALLED BY: RUTH GRAY, CHAIR

DATE: November 14, 2022

LOCATION: VIRTUAL MEETING

TIME: 6:00 P.M.

**RE: PUBLIC HEARING REGARDING:
Ordinance 11-22: Parking/Storage of
Commercial Vehicles in Residential Areas.**

COMMITTEE/COUNCIL MEMBERS:

CHANELL ELSTON
JOHN FAHSBENDER

MEMBERS OF COUNCIL:

SARA CONTINENZA
JOE FRANK
SUSAN HARDY
JUSTIN TISDALE

ADMINISTRATION

MICHAEL LOVE, PLANNING & DEVELOPMENT DIRECTOR
LAURA HEILMAN, BUILDING COMMISSIONER
PLANNING COMMISSION MEMBERS



COME TOGETHER & THRIVE

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Zoning & Planning Committee Public Hearing will be held on November 14, 2022, at 6 pm by the Council of the City of South Euclid, Ohio regarding the following Ordinance:

Ordinance 11-22 Amending Section 772.08 "Parking or Storage of Commercial or Construction Vehicles and Equipment" of Chapter 772 "Parking" of Title Seven "Sign Regulations, Landscaping and Parking" of Part Seven "Planning and Zoning Code," of the Codified Ordinances of The City of South Euclid, Ohio.

By order of the Council of the City of South Euclid, Ohio.

Keith A. Benjamin, Clerk of Council

Publish in Sun Messenger October 6, 2022 & October 13, 2022

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 11-22,
INTRODUCED BY: Gray
REQUESTED BY: Mayor

June 13, 2022
As Amended by the Planning Commission: July 14, 2022
Second Reading: July 25, 2022

AN ORDINANCE

AMENDING SECTION 772.08 "PARKING OR STORAGE OF COMMERCIAL OR CONSTRUCTION VEHICLES AND EQUIPMENT" OF CHAPTER 772 "PARKING" OF TITLE SEVEN "SIGN REGULATIONS, LANDSCAPING AND PARKING" OF PART SEVEN "PLANNING AND ZONING CODE," OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, with the passage of legislation allowing home-based businesses and the evolution of society, many residents park work-related vehicles in their driveways that are in violation of the current ordinance but would otherwise not degrade the quality of life in their neighborhood.

NOW THEREFORE BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 772.08 "Parking or Storage of Commercial or Construction Vehicles and Equipment" of Chapter 772 "Parking" of Title Seven "Sign Regulations Landscaping And Parking" of Part Seven "Planning and Zoning Code," of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

772.08 PARKING OR STORAGE OF COMMERCIAL OR CONSTRUCTION VEHICLES AND EQUIPMENT.

(a) Commercial Vehicles. The parking or storage of commercial vehicles or equipment, as herein defined, in any Residential District, other than in a garage or enclosed structure, is prohibited, except that a commercial vehicle may be parked outside of a garage or enclosure for a reasonable period of time when making a customary delivery of goods, merchandise or services to the premises located within such Residential District. Further, and subject to the provisions of Section 761.04, the height of the door of the garage or enclosure shall not exceed seven feet, unless the Zoning and Building Standards Board of Appeals, upon request of the owner, grants a variance on the height of the door, which variance shall not exceed eighteen inches of such requirement.

(b) Construction Vehicles and/or Equipment. The parking or storage in any Residential District, of vehicles, machines, devices or equipment used in the construction or maintenance of buildings, dwellings, houses, roads and sidewalks, is prohibited. However, where such vehicles, machines, devices and/or equipment are being used for the building, renovation, maintenance or improving of a house, dwelling, road or sidewalk in any Residential District, the temporary parking or storage of the vehicles, machines, devices and/or equipment is permitted until the project has been completed.

(c) Definitions. As used in this section:

(1) "Commercial vehicle" means:

A. **Any large trucks and equipment such as, but not limited to: semi-tractors and/or trailers, stake trucks, cube trucks, cube vans, dump trucks, panel trucks, delivery trucks, and equipment trailers. Any vehicle with current State-issued license plates attached thereto with the designation "truck", "commercial", or "bus", and exceeding 9,000 pounds GVWR (Gross Vehicle Weight).** ~~or~~

~~B. Any vehicle that is used for business, commercial or manufacturing purposes that bears one or more of the following: mounted equipment, racks carrying equipment, ladders and ladder racks, building materials and similar items; or~~

~~C. Any vehicle, including a trailer, used for the hauling or transporting of any machinery, device, materials or equipment in connection with a commercial enterprise, whether or not such vehicle is marked or identified by lettering, symbols or signs relating to such commercial purpose or enterprise and whether or not such vehicle has attached thereto a State issued license plate with the designation "truck", "commercial vehicle", or "bus."~~

(2) "Construction vehicle and equipment" means any vehicle, off-highway earth-moving equipment, backhoe, bulldozer, cement mixer, hoist, scaffold, snowplow and like devices, apparatus and machines used in the construction or maintenance of buildings, houses, roads, streets, sidewalks or driveways, or for landscaping or snowplowing.

(3) "Storage", "stored" or "store" means the keeping or housing of any commercial or construction vehicle, or any equipment used in a commercial or construction enterprise, in or upon premises located in any Residential District for any period of time.

(4) "Parking", "parked" or "park" means the stopping or standing of vehicles, whether or not occupied, otherwise than temporarily for the purpose of and while actively engaged in loading or unloading of merchandise or passengers.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and this Ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise shall take effect and be in force after the earliest period allowed by law.

Passed this _____ day of _____, 2022.

Ruth I. Gray, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law