



SHAKER HEIGHTS

**City Council Agenda
Via Video and Audio Conference Due to
COVID-19 Public Health Emergency
Monday, June 15, 2020 at 7:00 pm**

For the safety of staff and residents, in-person attendance is not permitted. Join the Zoom meeting from a PC, Mac, iPad, iPhone or Android device. Join online to listen and watch at [https://zoom.us/j/97075368226?](https://zoom.us/j/97075368226?pwd=OExsbzErcjRkRnhwS2ZZUUFkcGQ3QT09)

[pwd=OExsbzErcjRkRnhwS2ZZUUFkcGQ3QT09](https://zoom.us/j/97075368226?pwd=OExsbzErcjRkRnhwS2ZZUUFkcGQ3QT09) Password: 33553400: Description: City Council Meeting; or join by phone to listen at 833-548-0282 (toll free); Webinar ID: 970 7536 8226, Password: 33553400. Residents are also encouraged to submit comments/questions regarding items on the agenda at least 6 hours in advance of the meeting by emailing Jeri E. Chaikin at jeri.chaikin@shakeronline.com or by calling (216) 491-1424. Any comments or questions will be read into the record at the meeting. The audio of the meeting will be available the following day on the City's [website](#).

Special Meeting

Public Comment on Agenda Items

Comments and questions submitted prior to the meeting will be read into the record.*

1. Amending Section 1230.03, Office Zoning District, and Section 1263.15 of the Zoning Code of the Shaker Heights Codified Ordinances to add laboratories and research facilities and limited production/processing as permitted uses. (CPC)
Ordinance No. 20-48
Nancy Moore
2nd Reading

Documents:

[ZONING.PDF](#)

***Comments and questions submitted may be edited if excessively lengthy.**

Committees:

CPC: City Planning Commission

To request an accommodation for a person with a disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.



Memorandum

To: Members of City Council

From: Joyce G. Braverman, Director, Planning
Daniel Feinstein, Senior Planner, Planning

cc: David E. Weiss, Mayor
Jeri E. Chaikin, Chief Administrative Officer

Date: June 11, 2020

Re: Zoning Text Amendment—Office Zoning District permitted uses

The City Planning Commission held a public hearing and recommended approval of a zoning text amendment to the Office zoning district, Chapter 1230 of the Codified Ordinances, in order to add two new permitted uses. Revisions are proposed to regulations in Section 1230.03, Permitted Uses and Section 1263.15, the Conditional Use section in order to add laboratories and research facilities and limited production/processing to the Office zoning district.

The ordinance was introduced to Council on first reading at the June 8, 2020 meeting. This ordinance is now set for second reading at the June 15, 2020 meeting. A required public hearing and third reading is set for 7:00 pm. at the June 22, 2020 meeting.

Current office trends support limited production, bio tech and healthcare uses. These amendments allows a business with these types of uses to combine operations and locate on one property rather than in two separate properties and zoning districts. The proposed amendments create a more flexible office district which will attract a wider range of tenants. Laboratories and research facilities and limited processing/production uses have been allowed as a conditional use in the CM Commercial Mixed Use and C-3 Business Commercial zoning districts. Examples of combined and biotech businesses previously approved in the city include:

- CTL Cellular Technology Limited on Chagrin in the CM Commercial Use zoning district.
- MWW1 on Lee Road, a prototype, engineering, processing and office use in the C-3 Business Commercial zoning district.
- LaunchHouse/The Dealership, a shared use facility with a combination office, prototype design, creation, production and assembly uses in the C-3 Business Commercial zoning district.

The Office zoning district is limited in geographical scope and is primarily located on Warrensville Center Road south of Chagrin and on Chagrin east of Warrensville Center. See attached map.

A zoning text amendment review process requires:

- Public Hearing by the City Planning Commission. City Planning Commission makes a recommendation to Council; and
- Council holds three (3) readings on the amendment including a Public Hearing.

CITY OF SHAKER HEIGHTS | *Planning*

3400 Lee Road Shaker Heights, Ohio 44120 P 216.491.1430 F 216.491.1431 Ohio Relay Service 711
shakeronline.com www.shaker.life

First reading was held at the June 8, 2020 Council meeting, second reading is set for June 15, 2020 and third reading and a public hearing at the June 22, 2020 Council meeting. The redline of the text amendment and the zoning map is attached below.

Should you have any questions, please contact me, or refer to the meeting packet for the June 2, 2020 City Planning Commission meeting online attached to the agenda at www.shakeronline.com

Added language in red

CHAPTER 1230

O Office District

1230.01 PURPOSE.

The purpose of this district is to provide an environment for office and ancillary uses and facilities. This district should be located along major streets and function as a buffer between commercial and residential districts, where property size or other circumstances preclude commercial development adjacent to residential districts.

1230.02 PLANNING AND ZONING CODE 114

1230.02 LOCATION OF DISTRICT.

An O Office District should be located as a buffer between uses of substantially different character or intensity.

1230.03 PERMITTED USES

The following are permitted uses in the O Office District, pursuant to any additional standards set forth herein.

- A.** Medical offices and clinics for the treatment and aid of humans.
- B.** Offices.
- C.** Parks and playgrounds, public.
- D.** Laboratories and research facilities, pursuant to Section 1263.15
- E.** Limited production processing, pursuant to Section 1263.15

1263.15 LABORATORIES AND RESEARCH FACILITIES

Laboratories and Research Facilities and Limited Production/Processing Facilities **are permitted uses in the O Office district, and** may be granted a Conditional Use Permit in the C3 and CM Districts.

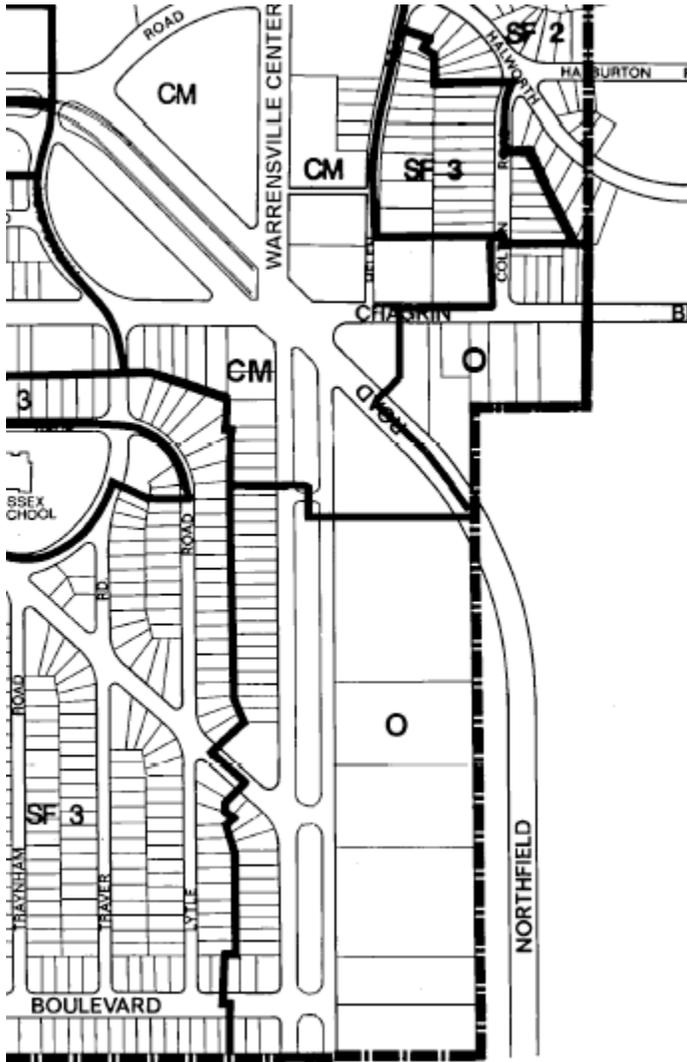
- A.** Such uses shall not create a nuisance in terms of their smell, noise, or any other reason, shall comply with the applicable Codes of the City of Shaker Heights and shall be further regulated pursuant to Section 1260.06, Environmental Performance Standards, of this Zoning Ordinance.
- B.** Such uses shall be buffered with landscaping pursuant to Section 1253.09, Landscape Buffers and Screening. Where abutting residential districts, such buffer shall include a solid brick wall of at least six (6) feet in height.
- C.** Parking lots shall be landscaped pursuant to Section 1253.08, Parking Lot Landscaping. (Ord. 13-16. Passed 5-28-13.)

Existing Definitions - Section 1211

Limited Production/Processing Fabrication, assembly, processing, or similar uses which are entirely conducted indoors and are not disruptive of, or incompatible with, other office, retail, or service uses that may be in the same building or complex. Limited production/processing does not include industrial processing from raw materials.

Laboratory A place devoted to experimental study such as testing and analyzing. Manufacturing is not to be permitted within this definition.

Research Facility A place devoted to experimental study such as testing and analyzing, but not that which includes the use of chemicals or animals or which fails to conform to Section 1260.06, Environmental Performance Standards, of this Zoning Ordinance. Manufacturing is not to be permitted within this definition.



ORDINANCE NO. 20-48

BY: Nancy Moore

Amending Section 1230.03, Office Zoning District, and Section 1263.15 of the Zoning Code of the Shaker Heights Codified Ordinances to add laboratories and research facilities and limited production/processing as permitted uses.

WHEREAS, Section 1230.03 of the Zoning Code was most recently enacted by Ordinance No. 03-67, adopted on June 9, 2003, and Section 1263.15 of the Zoning Code was most recently amended by Ordinance 13-16, adopted on May 28, 2013; and

WHEREAS, Section 1213.07 of the Zoning Code, regarding amendments to the zoning text, requires a public hearing and recommendation from the City Planning Commission, as well as a public hearing and three readings before Council; and

WHEREAS, on June 2, 2020, the City Planning Commission considered and decided to recommend to this Council text amendments to two sections of the Zoning Code regarding the Office Zoning District:

(1) Section 1230.03, to add laboratories and research facilities and limited production/processing as permitted uses in the Office Zoning District; and

(2) Section 1263.15, to add the reference that laboratories and research facilities and limited production/processing are permitted uses in the Office Zoning District; and

WHEREAS, laboratories and research facilities and limited production/processing uses have been existing listed conditional uses in the C-3 and CM commercial zoning districts with no issues; and

WHEREAS, the Office Zoning District is of limited geographical scope in the City, located mainly on Warrensville Center Road and on Chagrin Boulevard near the eastern City line, and is situated just as proximate to residential zoning as the C-3 and CM Commercial zoning districts; and

WHEREAS, laboratories and research facilities and limited production/processing uses will not conflict with other permitted uses in the Office Zoning District, which include office, medical office and public parks; and

WHEREAS, laboratories and research facilities and limited production/processing uses are conditional uses in the commercial zoning districts as those districts allow a mix of uses including residential uses in the same building, while the Office Zoning District does not include residential uses in the same building; and

WHEREAS, it is in the City's interest to allow businesses the flexibility to consolidate operations to include mixes of office, laboratory, research, production and processing on the same property, and to add permitted uses to the Office Zoning District to provide a flexible and vibrant list of uses as businesses adapt to the changing economy; and

WHEREAS, the zoning ordinance change is for the public good and is consistent with the City's adopted land use plans and the purposes of the zoning ordinance, as laboratories and research and limited production and processing are existing commercial uses that are consistent with other uses allowed in the existing Office Zoning District, they will have minimal effects on property values, or the use and enjoyment of neighboring property, they do not affect orderly development, they do not affect adequate utilities or essential public services, and they have been and continue to be suitable uses allowed in commercial zoning districts.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. Section 1230.03, Office Zoning District, and Section 1263.15 of the Zoning Code of the Shaker Heights Codified Ordinances, as heretofore in effect, are hereby repealed.

Section 2. Section 1230.03, Office Zoning District, and Section 1263.15 of the Zoning Code of the Shaker Heights Codified Ordinances, shall be amended and enacted to read as follows:

1230.03 PERMITTED USES

The following are permitted uses in the O Office District, pursuant to any additional standards set forth herein.

- A. Medical offices and clinics for the treatment and aid of humans.
- B. Offices.
- C. Parks and playgrounds, public.
- D. Laboratories and Research Facilities, pursuant to Section 1263.15.
- E. Limited Production/Processing Facilities, pursuant to Section 1263.15.

1263.15 LABORATORIES AND RESEARCH FACILITIES

Laboratories and Research Facilities and Limited Production/Processing Facilities are permitted uses in the O Office district, and may be granted a Conditional Use Permit ~~only~~ in the C3 and CM Districts.

- A. Such uses shall not create a nuisance in terms of their smell, noise, or any other reason, shall comply with the applicable Codes of the City of Shaker Heights and shall be further regulated pursuant to Section 1260.06, Environmental Performance Standards, of this Zoning Ordinance.
- B. Such uses shall be buffered with landscaping pursuant to Section 1253.09, Landscape Buffers and Screening. Where abutting residential districts, such buffer shall include a solid brick wall of at least six (6) feet in height.
- C. Parking lots shall be landscaped pursuant to Section 1253.08, Parking Lot Landscaping.

Section 3. This ordinance shall take effect from and after the earliest time allowed by law.

Enacted

Approved this ____ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council

coun20/0603officeDistristAmendCODORD