

## **1. APPLICANT SUBMITS REQUEST**

You will need to submit a letter to Westlake City Council requesting consideration for a change in zoning. A \$100 fee must accompany the rezoning request.

If the request involves a change in the text of the zoning code, reference must be made to the section to which the request relates. If the request is for a change in zoning classification for a piece of land, a map indicating parcels, dimensions and legal description for which the change is requested must be included. The request will be referred to the planning and zoning committee of council for a recommendation to council for action within thirty days. Council then votes at the meeting at which the report is submitted as to whether legislation should be drafted and placed on the council meeting agenda. The \$100 fee will be refunded in full if council, upon recommendation of the planning and zoning legislative committee of council, determines not to prepare legislation for the requested zoning change. If legislation is prepared, in addition to the fee, the party requesting the zoning change must reimburse the city for all advertising costs and other related costs of any notices required by any of the ordinances of the city.

## **2. ENACTMENT OF LEGISLATION; ACCOMPANYING MAP**

The enactment of any ordinance or regulation of a permanent nature which amends or otherwise affects the zoning or districting of land within the city, or which amends the zoning code, shall be as provided by the charter. If the effect is to make any substantial change in the classification or the use of specific parcels of land within the city the legislation must be accompanied with a legal description and a map of the city or of the particular portions in which such change, or changes, are to be made, showing in a reasonably clear manner the size, dimensions and location of the area proposed to be changed in use classification. The map need not be attached to the text of the ordinance but must, in a clear and intelligible manner, make reference to the ordinance or other measure to which it relates.

## **3. REFERRAL TO PLANNING COMMISSION**

After an ordinance is prepared, the ordinance and any accompanying maps will be referred to the Westlake Planning Commission for recommendation, report or other disposition by the commission. Prior to any action on the part of the commission, the clerk of commissions will notify, by regular mail, at least ten days before any such meeting, the owners of property within 500 feet of all boundaries of any proposed area to be rezoned. Property owners are those whose names are shown on the current county map records on file at city hall.

After referral of an ordinance, the planning commission has 60 days to act unless an extension of time is granted by Article IV, Section 9(e) of the City Charter.

## **4. NOTICE OF AND PUBLIC HEARING ON ZONING ORDINANCES**

Notice of pending ordinances pertaining to zoning will be published and public hearings held as provided by Article III, Section 13 of the Westlake City Charter and by Chapter 1235 of the Codified Ordinances. Simultaneously with, or at any time after the reference of any ordinance or regulation by council to the planning commission, council will fix a date, time and place for a public meeting, provided the minimum notice as required by the charter is complied with. The clerk of council will publish in one or more newspapers of general circulation in the city a suitable notice of the pending ordinance and of the date, time and place of the meeting. The notice may describe in general terms the contents of the ordinance. Council may also direct regular, certified or registered mail notices to be sent prior to the date of the hearing to the owners of record, if their addresses can be determined from the county records for tax mailing purposes, of parcels lying within or within a distance of 500 feet from the outer boundaries of any area of land of which the zoning or use classification will be changed by the pending ordinance. Failure of delivery of the mail notices to any addressee will not invalidate the ordinance or regulation passed by council. Any hearing may be adjourned from time to time as council may deem necessary and no further notice of the adjournment will be required.

## **5. PASSAGE AFTER PUBLIC HEARING**

Following the conclusion of the public hearing, the proceedings of the ordinance or

regulation will be as provided by law for the passage of other ordinances of council of a general and permanent nature.

Neither the council, the mayor, any board, including boards of appeal, or commissions, appointed pursuant to the charter, or any ordinance or resolution, whether proposed by council or by initiative petition, or otherwise, of this municipality, nor any other agent, employee, person or organization acting for or on behalf of this municipality, by whatever authority or purported authority, shall by ordinance, resolution, motion, proclamation, statement, legislative or administrative action, or variance effect a change in:

- the zoning classification or district of any property or area in the city of Westlake to allow multi-family dwellings thereon;
- or grant any zoning classification or variation which would increase the density permitted on any property in any residential district;
- or grant a zoning classification or variation or conditional use which would permit commercial development consisting of establishments for retail sales, commonly known as shopping developments, by whatever name called, consisting of thirty acres or more. In computing the acreage for purposes of this provision, the computation will include contiguous land which is already zoned for shopping center development;

unless the change or grant, after its adoption in accordance with applicable administrative or legislative procedures, is approved at a

regularly scheduled general election of the city of Westlake, state of Ohio or county of Cuyahoga, by a majority vote of electors voting.

(Article IV, Section 13 of the City Charter; Article III, Section 13 of the City Charter; Chapter 1235 of the Westlake Codified Ordinances)

The rezoning request process generally requires a four to six month timeframe from the time the applicant submits a request to the time final approval is granted by council. Complex rezoning requests may require more time and rezoning requests that require voter approval may require a year or more to be granted.

If you have any questions, please contact the planning department at 440-617-4305 or the clerk of council at 440-617-4050.

[www.cityofwestlake.org](http://www.cityofwestlake.org)

# What you need to know about Rezoning Requests

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## Review Process



City of Westlake  
Planning Department  
440-617-4305

*The information in this brochure is intended as a general guideline. Please refer to the Codified Ordinances of the City of Westlake for additional information and any updates.*