

Permitted Buildings and Uses in Business Districts



City of Westlake
Planning Department
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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.

The following schedule enumerates all main, conditional and accessory buildings and uses that are permitted in Office Building, Executive Office Park, Shopping Center, General Business, Interchange Services, Recreation Business and Hotel/Motel Districts. (From Section 1216.03 of the Westlake Codified Ordinances)

KEY: M = Main Use, A = Accessory Use, C = Conditional Use, () = see footnotes, blank boxes = not a permitted use in certain district

<i>Permitted Buildings and Uses</i>	Office Building	Executive Office Park	Shopping Center	General Business	Interchange Services	Recreational Business	Hotel/Motel
Institutional Uses:							
Park, playground or other public recreation use	M	M	M	M	M	M	
Church	M	M	M	M	M	M	
Public and parochial primary or secondary school and public and private college or university	M	C	M	M	M	M	
Public Buildings:							
Police and fire stations, City Hall, Post Office	M	M	M	M	M	M	
Library, museum and art gallery	M	M	M	M			
Public or quasi-public nonprofit recreation or community center	M	M	M	M		M	
Hospital or medical arts building	M	M	M	M			
Offices:							
Professional, financial, governmental, public utility, administrative sales	M	M	M	M	M		
Professional, financial, administrative and sales within the same building containing a main recreational business use specified in subsection (g) hereof						M	
Retail sale in enclosed buildings:							
Groceries, meats, fruits, vegetables			M	M			
All general merchandise, dry goods, notions			M	M			
Wearing apparel, shoes, hats			M	M			
Household hardware, wallpaper, paint			M	M			
Furniture, appliances, floor coverings			M	M			
Sporting goods			M	M		A	
Drugs, periodicals, tobacco			M	M			
Flowers, gifts, jewelry			M	M			
State liquor stores			M	M			
Large retail store			C(l)				
Bakeries, candy, bread, ice cream shops for retail sales			M	M			
Other Retail Sales Outlet:							
Automotive service station for the sale of gasoline, oil and auto accessories; for auto lubrication, routine maintenance and minor repair work within enclosed buildings				M(h)	M(h)		
Canopies over gasoline pumps				A	A		
Garage for the repair of automobile motors and bodies within a wholly enclosed building				M	M		
Sale of new automobiles and new car rental agency				C(a)(c)(t)	C(a)(c)(t)		
Second-hand automobile sales				A(b)(c)(t)	A(b)(c)(t)		
Sale of farm and garden supplies				C(t)			
Camping trailer and boat sales				MC(t)		MC(t)	
Drive-in restaurant			C(i)		C(i)		

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Revised 4/26/2011

<i>Permitted Buildings and Uses</i>	Office Building	Executive Office Park	Shopping Center	General Business	Interchange Services	Recreational Business	Hotel/Motel
Automobile car wash				C	C		
Service of lawn and garden equipment entirely within enclosed buildings on the premises				M			
Convenient food sales, not to exceed 1,000 square feet of sales floor within a building which may not exceed 3,000 square feet					A(m)		
Service Establishments:							
Beauty and barber shops		A(d)	M	M			
Laundry and/or dry cleaning agencies provided no work shall be done on the premises for other outlets; self-service laundry			M	M			
Shoe, hat repair shop			M	M			
Radio and television repair			M	M			
Photographic studios		A(D)	M	M			
Tin shop, plumbing shop, furnace repair shop, sign display or decorating shop				M			
Recreational Uses:							
Bowling alley			M	M		M	
Dance hall						M	
Roller skating or ice skating rink						M	
Swimming, tennis, boccie ball and volleyball	C	C		C		M	
Golf driving range	C					M	
Par 3 or miniature golf course	C			M	A	M	
Regulation golf course						M	
Theater – indoor			M		C	C	
Gymnastics, gymnastics training school and body conditioning	C	C		C		M	
Racquetball, handball and indoor tennis	C	C		C		M	
Indoor Soccer Facility	C					M	
Other Business Uses:							
Printing shop, newspaper printing establishment employing not more than five employees				M			
Radio or television station				M			
Pet shop, animal hospital and animal day care establishment provided noise and odors are effectively limited to the premises				C(y)			
Bus station				M			
Mortuary				M			
Motel or hotel					M		M
Heliport, helistop			C				
Commercial or municipal parking facilities for licensed automobiles	A	A	A	M	M	A	
Training schools of a private, technical or professional nature	C	C		M			
Banks	C	C	M	M	M		
Conference center		C					
Printing and copy center		A(d)	M	M			
Nursery/landscaping	C			C(t)			
Extended Stay Hotel							M(g)

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Animal Hospital	C						
Licensed child day care, preschool or adult day care facility	C(k)(n)	C/A(n)	C(n)(o)	C(n)(o)			
Service and consumption of food and all beverages on the premises within an enclosed building on the premises		C(e)	M	M	M	M	
Self service storage establishment				C(x)			
Accessory Uses Incidental to Permitted Buildings and Uses:							
All storage shall be wholly enclosed within the main or other approved building	A		A	A	A	A	A
Incinerator	A		A	A	A	A	A
Restaurant and/or assembly room in connection with a motel or hotel					A	A	A
Beauty and barber shop	A				A	A	A
Swimming pool and/or other recreational facility in connection with a motel or hotel					A		A
Restaurant or snack bar wholly enclosed within and in connection with an office building, public building or motel or hotel	A	A(d)	A	A	A	A	A
Pharmacy limited to the sale of pharmaceuticals and medical supplies and wholly enclosed within and in connection with a permitted main building or use	A	A(d)	A	A			
Shoe repair	A						
Copy centers	A						
Gym and health facilities	A						
Photo studios	A						
Off-street parking and loading facilities as permitted and as regulated in Chapter 1221	A	A	A	A	A	A	A
Signs as permitted and as regulated in Chapter 1223	A	A	A	A	A	A	A
All accessory uses permitted within any residential district in connection with a permitted dwelling	A						
One Satellite Receiving Dish	A(f)	A(f)	A(f)	A(f)	A(f)	A(f)	A(f)
Trash and material storage enclosed in main building or in an approved structure (j)	A	A	A	A	A	A	A
Drugs, periodicals, tobacco		A(d)			A	A	
Flowers, gifts, jewelry and notions		A(d)			A		
Outdoor retail sales of live plants, flowers and farm produce			A(q)	A(q)			
Outdoor sales of home garden materials, equipment and supplies			A(s)	A(s)			
Recreational facilities and mechanical amusement devices as an accessory use to a restaurant			A(u)(v)		A(u)(v)	A(u)	A(u)(v)

(a) Sale of new automobiles and new car rental agency means a building and land used by a franchised automobile dealer or an automobile rental agency principally for the sale or rental of new automobiles and sale of new trucks not exceeding one ton rated capacity. Service garage, body shop, leasing department and other activities customarily incidental to a full service franchised automobile dealer are permitted accessory uses to such a full service franchised automobile dealer only, provided these uses are in the same building as the new car salesroom. All body work shall be performed in a soundproof portion of the building.

(b) Sale of used automobiles and trucks not exceeding one ton rated capacity provided such accessory use is incidental only to franchised new automobile dealership and the sale and storage of such vehicles is on the same lot to the main new automobile dealership. (Ord. 1995-40. Passed 4-20-95.)

(c) Lighting - lighting fixtures for outdoor display of vehicles shall be placed behind the building setback line and shall be not more than 25 feet above grade. Lighting shall be prefocused or focusable type and shall be directed downward and away from adjoining properties and public streets. Offices for any use shall be permitted only in the main building.

No public address system shall be used or installed for use outside of any building. Only one building shall be permitted on a lot. Separate buildings for various activities associated with the sale of new automobiles shall be prohibited.(Ord. 1989-134. Passed 6-15-89.)

- (d) Retail and service uses permitted as Accessory Uses in an Executive Office Park District shall be limited to not more than 10% of the ground floor area of an office building. Such accessory uses shall be located on the ground floor of that permitted building. Access to permitted accessory uses shall be through the principal means of egress to the main building.
- (e) A restaurant may be permitted with a Conditional Use Permit within an office building in the Executive Office Park District and shall comply with the following regulations:
 - (1) Conditional restaurant shall be wholly enclosed within and incidental to an office building.
 - (2) Conditional restaurant floor area shall be no more than 25% of the ground floor area and no more than 10% of the entire office building floor area in which it is located.
 - (3) Conditional restaurants shall have a main entrance through the principal means of egress to the main building and may have a second entrance for patron use which must face a major arterial or state highway.
 - (4) All portions of the conditional restaurant including its delivery and trash areas shall be located within 300 feet of a major arterial or state highway and the parcel shall have frontage on and all vehicle access onto said major arterial or state highway.
 - (5) Such other requirements as may be imposed by the Planning Commission or Council. (Ord. 1997-127. Passed 9-4-97.)
- (f) See Section 1216.12. (Ord. 1989-134. Passed 6-15-89.)
- (g) In a Hotel or Motel District rooms or accommodations shall not be used as a permanent or voting residence by any person. Any person occupying a room in excess of thirty consecutive days at an extended stay hotel shall be presumed to be a permanent resident in violation hereof. (Ord. 1997-246. Passed 2-19-98.)
- (h) The sale of alcoholic beverages at service stations is prohibited.
- (i) In addition to the general conditions under Section 1227.03, the following conditions shall apply to drive-in restaurant facilities:
 - (1) A parcel proposed for a drive-in restaurant food service facility shall not abut any residential district and/or use.
 - (2) Drive-in restaurant facilities shall provide a six-foot high fence and/or a minimum of twenty feet of landscaping buffer along the side and rear of the parcel containing such facility.
 - (3) Drive-in facilities including signs, speakers and order windows shall not be located in any required side, rear or front yard.

(4) A drive-in restaurant food service shall be located on a parcel not less than 2.5 acres per each building containing a drive-in restaurant in addition to any acreage requirement for other building or use on the same parcel. (Ord. 2005-1. Passed 5-5-05)

- (5) A separate driveway for automobile stacking shall be provided for not less than six vehicles in front of each order window or remote station such as a speaker. Stacking lanes shall not be located within the required parking and/or loading setback and shall not occupy any area needed to access any parking spaces.
 - (6) No off-site or on-street stacking of vehicles shall be permitted. In the event that a drive-in facility causes vehicles to back up onto a public road, such drive-in facility shall provide additional stacking lanes or discontinue the drive-in facility.
 - (7) No drive-in restaurant or food service window, outside order, outside pickup or speaker etc. shall be allowed to operate between the hours of 12:00 p.m. midnight and 6:00 a.m.
 - (8) Drive-in facilities shall be designed to provide safe and separate on-site pedestrian circulation between parking spaces and building entrances.
 - (9) All exterior faces of the building shall be of approved finished material as per Section 1361.02 of the Building Code.
 - (10) Parking shall be set back at least fifty feet from the planned right of way where abutting a public street or private drive.
- (j) All trash receptacles shall be located wholly within the main building or in an approved enclosure structure. Exterior trash enclosures shall be six feet in height with masonry walls on three sides with a solid gate or door on the fourth side. Enclosures shall be designed to be compatible in design and material as the main building. Exterior enclosures shall be at least six feet from the main building and provide a setback from property lines equal to the required loading area setback. Where adjacent to residential districts, trash enclosures shall be further screened with a landscape buffer approved by the Planning Commission. (Ord. 1989-134. Passed 6-15-89.)
 - (k) In addition to the general conditions of Section 1227.03, the following conditions shall apply to the licensed child care facilities and preschool facilities in an Office Building District:
 - (1) The parcel for development is at least two acres in lot area.
 - (2) The parcel for development has a minimum lot width of 200 feet.
 - (3) The front yard setback for the building and use is not less than 100 feet.
 - (4) The development provides a safe and separated pedestrian access between the building, public sidewalks, driveway and/or parking lots.
 - (5) The maximum building coverage shall be 15% of the total zoning lot. (Ord. 1997-239. Passed 4-2-98.)
 - (l) In addition to the general conditions of Section 1227.03, the following conditions shall apply to large retail stores:
 - (1) The parcel proposed for large retail stores shall not be less than twenty acres;
 - (2) The parcel shall have at least 300 feet of frontage;
 - (3) All access shall be onto the following major arterial streets: Columbia Road, Detroit Road, Sperry Road or Crocker Road;

- (4) All uses and storage, except for parking and approved signs shall be in wholly enclosed buildings; and
- (5) The entire parcel shall be within one-half mile of an interstate freeway ramp. (Ord. 1993-77. Passed 7-15-93.)
- (m) Convenient food sales of subsection (d)(10) hereof is only a permitted accessory use to an automotive service station as set forth in subsection (d)(1) hereof. (Ord. 1995-43. Passed 5-4-95.)
- (n) Additional regulations for adult day care facilities.
- (1) No overnight stays are permitted.
 - (2) Applicant must apply for, obtain and maintain annual certification from the Ohio Department of Human Services, the Ohio Department on Aging and/or their designated regional agency to operate as a PASSPORT provider, or in the event that the PASSPORT program is discontinued, apply for, obtain and maintain a similar license from the State of Ohio for adult day care facilities. Applicant must comply with any and all future applicable State licensing requirements as they are implemented.
 - (3) All adult day care facilities to be located on a single floor with ground level access to all doors without stairs.
 - (4) Adult day care facility shall contain not less than 90 square feet of gross floor area per person with not less than 60 square feet per person of net indoor activity and living area. In addition, adult day care facility shall provide not less than 35 square feet per person of outdoor sitting, walking and activity area.
 - (5) The outdoor activity area shall be completely enclosed in a minimum 5 foot high fence with locks and alarm monitored gates.
 - (6) A drop-off and pickup area shall be provided with handicap accessible access within 30 feet of the main entrance and provide a vehicle storage lane for not less than six vehicles.
 - (7) The main entrance to the building and all emergency exits shall be accessible to emergency medical vehicles and fire emergency vehicles.
 - (8) Compliance with Chapter 1373 of the Building Code is required. (Ord. 1996-18. Passed 7-9-96.)
- (o) In addition to the general conditions of Section 1227.03, the following conditions shall apply to the licensed child care facilities and preschool facilities in a Shopping Center or General Business District:
- (1) The day care or preschool shall be the single use within the building and sole use on the parcel.
 - (2) The lot contains sufficient land and size to provide adequate open space, safe vehicular, pedestrian, and emergency vehicle access, good circulation patterns and vehicle queuing on the property.
 - (3) The front yard setback for the building and use is not less than 100 feet.
 - (4) The side yard setbacks for the buildings are not less than twenty feet.
 - (5) The maximum building coverage shall be 15% of the total zoning lot. (Ord. 1997-239. Passed 4-2-98.)
- (p) (EDITOR'S NOTE: Former subsection (p) was repealed by Ordinance 2003-26, passed April 17, 2003.
- (q) Seasonal outdoor retail sales of live plants, flowers and farm produce only shall be permitted as an accessory use to a permitted main use within a Shopping Center or General Business District, and a temporary permit shall be issued by the Director of Inspections after written application by the proprietor of the tenant space upon the following conditions:
- (1) The written application by the proprietor of the tenant space shall be accompanied by an application fee of one hundred dollars (\$100.00).
 - (2) No permit shall be issued for seasonal sales of the permitted items for a period exceeding thirty consecutive days which permit shall be conspicuously posted.
 - (3) No such seasonal permits shall be issued to any one applicant or to the same premises so that the total days for such permit would exceed ninety days in any calendar year.
 - (4) The permit shall define the area which shall only be in the front of the tenant space to be used for such temporary sales and shall be designed so as to set aside at least sixty inches of unoccupied space to provide adequate passage for pedestrians, the handicapped, bicycles, onlookers and passersby and there will be no blocking of ingress and egress, passageways, fire lanes, driveways or parking spaces.
 - (5) The space for such temporary sales shall provide adequate lighting and be designed in such a manner that the safety of onlookers, customers, pedestrians and passersby is ensured.
 - (6) The area devoted to such temporary sales shall be kept free of litter and debris and shall be restored to its original condition as before the temporary sales period use was placed thereon. (Ord. 1999-142. Passed 10-21-99.)
- (r) Indoor theaters shall meet the following minimum site standards: minimum lot area of eight acres; minimum lot width of 300 feet; minimum yard setbacks no less than required for a hotel in an Interchange Services District, and a maximum lot coverage of fifteen percent (15%). (Ord. 1999-176. Passed 12-16-99.)
- (s) Accessory outdoor sales of home garden materials, supplies and equipment shall meet the following standards in Shopping Center and General Business Districts:
- (1) There shall be no bulk storage, sale or display of garden or landscaping materials except in packaged form in containers ready for retail sale to the general public.
 - (2) The area shall have appropriate masonry brick, split face block or other finished wall and decorative fencing or other separation from parking, walkways and other areas used by the general public. Such wall separation shall be at least ten feet in height and no more than fifteen feet in height and no material, supplies or equipment shall be stacked within the designated area to a height greater than the wall or separation and no materials, supplies or equipment shall be displayed or sold outside of the designated area.
 - (3) The total area for such sales shall not exceed fifteen percent (15%) of the gross area of the building occupied by the applicant, as defined in Section 1203.04(e), of the applicant's main use. The total area for such use shall be included in the total area permitted to be

occupied by the applicant in accordance with this Code as defined in Section 1216.14 and/or 1203.18(s).

(4) The area for outside sales shall not encroach on any building setbacks, shall be kept free of litter and debris and shall be at all times maintained in such a manner as to ensure the safety of onlookers, pedestrians, customers and passersby. (Ord. 1999-205. Passed 4-20-00.)

(t) The provisions of Section 1216.14(b) shall only apply to the building floor areas. In addition to the general standards of Section 1227.03(b), the outdoor sales, storing or display of products and material shall maintain the front, side and rear setbacks required for buildings in the same district. The outdoor display or storage of products including new and used vehicles, boats, trailers, farm and garden equipment and supplies shall be screened and buffered from view from any adjacent property and/or public street, including I-90 and in accordance with the requirements established in these Codified Ordinances. (Ord. 2000-60. Passed 6-15-00.)

(u) The accessory use for amusement devices shall be limited to the area defined by the Ohio Department of Liquor Control as a permit premises for the purpose of on premises consumption of alcoholic beverages and all such amusement devices must be contained within that defined permit premises.

(v) The total area for such use shall not exceed ten percent (10%) of the customer service area. (Ord. 2000-155. Passed 2-15-01.)

(x) Self service storage establishments shall not be permitted in General Business Districts unless such proposed use shall meet the following conditions, requirements and standards:

(1) Council must determine that a unique topographical feature exists which creates a situation where such use would have minimal negative impact on abutting properties.

(2) Such use shall be fully enclosed and located below a building containing a use permitted in General Business Districts or totally located below surface parking.

(3) The proposed location of garage or overhead doors for vehicle access or user access shall be the minimum number possible to effectively use the facility and shall not be located so as to have a significant impact upon abutting properties. Individual units in the self service storage establishment shall have access only from the interior of the building and no such units shall have access doors to permit access to units from the exterior of the building.

(4) The self service storage establishment shall provide interior driveway circulation for vehicles to access storage units in a safe manner.

(5) The self service storage establishment shall be fully sprinkled, contain proper ventilation and other necessary safety monitors and shall meet all other Code requirements for such facility including Westlake Codified Ordinances, the Ohio Revised Code and any national building codes or standards adopted by the City.

(6)The exterior of the self service storage establishment shall be the same exterior finish as the main building structure. The storage area shall contain a minimum of 10,000 square feet in total area.

(7) No outside storage of any sort shall be allowed except as permitted as an accessory use to the main use of the building. (Ord. 2002-162. Passed 12-19-02.)

(y) (1) All boarding of animals shall be within an enclosed building;

(2) Any outdoor exercise area shall be fenced and located outside any building setback for the District and not be located in the front yard;

(3) All noise and odors shall be confined to within the enclosed building such that no disturbance is made to any adjoining property owner or resident; and

(4) Domestic animal boarding is limited to common household pets. Wild, dangerous and/or undomesticated animals as defined in Section 505.20 shall not be permitted. (Ord. 2003-243. Passed 2-19-04)