



PLANNING DEPARTMENT

27700 Hilliard Blvd.
Westlake, OH 44145

Phone 440.871.3300
Fax 440.617.4324

CONDITIONAL USE PERMIT – CHAPTER 1227

Incomplete and/or incorrect submittals may not be accepted and will be returned to the applicant for proper processing before they can be placed on any agenda.

Step 1 Agent and/or owner must contact the Westlake Planning Department at 440.617.4305 prior to submitting an application to discuss the initial proposal.

Step 2 APPLICATION FILING TO THE PLANNING DEPARTMENT

(Applicants must have discussed the initial proposal before applying for a Conditional Use Permit)

SUBMITTAL REQUIREMENTS:

Fee: Application - \$100.00

Mastercard, Visa, Discover accepted or make check payable to the City of Westlake.

16 complete sets; each set contains one copy of the following:

- Completed CUP application form
- Any supplemental information such as conceptual plans, business brochures, letters, etc.
 - o **Supplemental information must be folded** with printing on the outside and so that outside dimensions are no larger than 9” x 14” (plans must be able to fit in a legal size red rope file)
- If fully dimensioned Development Plans as described in Chapter 1220 will be included with the submittal, you will need to complete a Development Plan Application and follow the Development Plan process – refer to the Development Plan Application form. Staff will advise you of this in Step 1*

Step 3 REFERRAL TO COUNCIL

(Applicant must be present at the PZL meeting and will be notified of the meeting date)

The Planning Director will refer the Conditional Use Permit Application to Council after it has been reviewed for completeness. Council refers the request to the planning, zoning and legislative (PZL) committee of council for their recommendation to the full council. If the PZL committee considers it worthy of further consideration, legislation is drafted for the proposed conditional use permit. This legislation is placed on the first of three readings at an upcoming council meeting at which time council then refers the request to the planning commission for their recommendation (see step 4).

Step 4 APPLICATION FILING FOR PLANNING COMMISSION MEETING

(Applicant and/or owner must be present at the Planning Commission meeting and must be prepared to present their request to the Commission)

SUBMITTAL REQUIREMENTS:

14 complete sets; each set contains one copy of the following:

- Completed Conditional Use Application form
- Any supplemental information such as conceptual plans, business brochures, letters, etc.
 - o **Supplemental information must be folded** with printing on the outside and so that outside dimensions are no larger than 9” x 14” (plans must be able to fit in a legal size red rope file)

1 CD with electronic copy of supplemental information

- Adobe Acrobat PDF (each page document should be a separate PDF file – not one multiple page PDF all documents).

The planning commission will review the conditional use permit application request and make recommendation to council.

Step 5 RECOMMENDATION TO COUNCIL

Council, upon receiving the recommendation of the planning commission, places the legislation on second reading, holds a public hearing and has a third reading. Council may approve or disapprove the application. Action by council shall be deemed to be final. If the plans are approved by council, the applicant shall apply for any necessary building permits.



WESTLAKE CONDITIONAL USE PERMIT APPLICATION

All sections of this application must be completed

Name of Applicant\Business requesting CUP: _____

Name of Applicant\Business Owner requesting CUP: _____

Address of Applicant\Business Owner: _____

Telephone: _____ Email: _____

Name of Property Owner: _____

Address of Property Owner: _____

Telephone: _____ Email: _____

Name of Representative: _____

Address of Representative: _____

Telephone: _____ Email: _____

CUP Request: _____

Property address for CUP: _____

(if tenant space provide tenant address and/or suite number)

Involving Parcel Nos.: _____

(must provide parcel number and zoning)

Property zoned: Business: OB EOP SC GB IS RB AP HM ISF

Residential: R-1F-80 R-1F-Cluster R-2F-100 R-MF-40 R-MF-24 R-MF-15

Industrial: OL EI EOL **Health Campus:** HC **Planned:** PUD PO

Section of Code for CUP: _____

(provide code section listing use as CUP)

Square foot area of building requested for CUP: _____

Signature of Property Owner **(required)**

Signature of Business Owner **(required)**

*Submit completed application and any supplemental information to the **Westlake Planning Department***

1. APPLICANT SUBMITS REQUEST

Conditional use permits are required for certain types of uses listed in the schedule of permitted buildings and uses in the Westlake Zoning Code. They are classified as conditional uses because of their uncommon characteristics, infrequency of occurrence, large land area requirements or other features. A use may be permitted and desired in certain districts but not without consideration in each case of the effect on neighboring land and the public need for the particular use at the particular location. The application of the planning standards for determining the location and extent of such uses is a planning function and not in the nature of a variance or appeal as discussed in Chapter 1227 of the Westlake Codified Ordinances.

To begin the process a person seeking a conditional use permit will need to contact the Westlake Planning Department prior to submitting an application to discuss the initial proposal. You will then need to submit a complete Conditional Use Permit Application to the director of planning requesting consideration for a conditional use permit.

2. CITY REVIEW AND APPROVAL

The request for a conditional use permit is referred by the director of planning to the Westlake City Council. Council refers the

request to the planning, zoning and legislative (PZL) committee of council for their recommendation to the full council. If the PZL committee considers it worthy of further consideration, legislation is drafted for the proposed conditional use permit. This legislation is placed on the first of three readings at an upcoming council meeting at which time council then refers the request to the planning commission for their recommendation.

The clerk of commissions places the request on the planning commission agenda as soon as practicable. The planning commission generally meets the first Monday of each month.

The planning commission will review the conditional use permit request taking into account the spirit and intent of the zoning code, the location of the proposal, the effect on the surrounding properties, and the relationship of the proposal to the guide plan. The applicant or their representative will need to be present at the planning commission meeting. The planning commission recommends approval or disapproval within sixty days from the date of referral unless a different period of time is provided by council. Planning commission may request an extension of time for additional time for review if necessary.

Council, upon receiving the recommendation of the planning commission, places the legislation on second reading, holds a public hearing and has a third reading. Council may approve or disapprove the application.

Action by council shall be deemed to be final. If the conditional use permit is approved by council, the applicant shall apply for any necessary building permits and other city approvals.

3. STANDARDS FOR EVALUATING CONDITIONAL USE PERMITS

An application for a conditional use permit will not be approved unless the following conditions and standards are complied with as set forth for the following districts:

Residential Districts:

- The proposed use is properly located in relation to the adopted Westlake Guide Plan and Thoroughfare Plan, particularly secondary and local streets and pedestrian circulation;
- When located on a local street, the proposed use generates the least possible traffic through a residential neighborhood;
- The proposed use is necessary to serve the surrounding residential areas which cannot be served satisfactorily if the same use is located in a nearby less restrictive district where it may be permitted by right;
- The location, design and operation of such use does not discourage the appropriate development or impair the value of the surrounding residential district; and
- For temporary structures, every conditional use permit shall be reviewed

every six months and may be renewed only while the construction operations are underway.

Business and Industrial Districts:

- The proposed use is necessary to serve the community needs and if existing similar facilities located in a less restrictive district in which the use may be permitted by right, are inadequate;
- The proposed use pertains to schools, churches and other places of assembly no closer than necessary; and
- The location, extent and intensity of the proposed use is such that its operation is not objectionable to nearby dwellings by reason of noise, smoke, dust, odors, fumes, vibrations or glare greater than is normal or as permitted by the performance standards of the district;
- The proposed use forms a harmonious part of the business, research, service and industrial district, taking into account, among other considerations, convenience of access and relationship of one use to another;
- The proposed use is permitted in a less restrictive district than that in which it is permitted by right only because of its limited extent, modern equipment and processes; and
- The hours of operation and concentration of vehicles in connection with proposed use is not more hazardous or dangerous than the normal traffic of the district.

Safeguards and Conditions:

- Safeguards and conditions may also be set forth in the permit in addition to the general standards set forth in residential districts and business and industrial districts.

The approval of a conditional use permit shall become null and void if the construction of the building or site improvements are not started within a one-year period after date of approval.

If you have any questions, please contact the planning department at 440-617-4305.

www.cityofwestlake.org

What you need to know about Conditional Use Permits

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.