



OFFICE OF THE CITY COUNCIL

27700 Hilliard Blvd. Phone 440.871.3300
Westlake, OH 44145 Fax 440.617.4089

ZONING CODE AMENDMENT REQUESTS

Brief overview of the process: A request for any change in the zoning code may be made by the owner or his agent, a Councilmember or the Mayor. This request shall be submitted in writing to Council. If the request involves a change in the text of the zoning code, reference shall be made to the section to which the request relates. If the request is for a change in use classification, a map indicating parcels and dimensions and legal description for which the change is requested shall be included. Such request shall be referred to the Planning, Zoning, Legislative committee of Council for a recommendation to Council for action within thirty days. Thereupon, Council shall vote at the meeting at which the report is submitted as to whether legislation should be drafted and placed on the agenda. If legislation is prepared, it will then be placed on first reading and referred to the planning commission for review. The planning commission has sixty days in which to review the legislation unless they request additional time. After planning commission's recommendation, the legislation will be placed on second reading, and a public hearing date will be set. The third and final reading can be the night of the public hearing unless Council deems it necessary to adjourn it to a later date.

Please provide **20 copies** of all required documents, including the application form.

A **\$100 filing fee** is to be submitted with the application. (Mastercard, Visa, Discover, American Express, cash, or check payable to the City of Westlake.) This fee shall be refunded in full if Council, upon report of the Planning, Zoning, Legislative Committee of Council, determines not to prepare legislation for the requested zoning change.

Applicant shall reimburse the city for **all advertising costs** and other related costs of any notices required by any of the ordinances of the city according to Westlake Codified Ordinance §1115.10 and §1235.02.

Please submit all documentation to:
Denise L. Rosenbaum, CMC
Clerk of Council
27700 Hilliard Boulevard
Westlake, Ohio 44145-3030

If you have any questions, please contact the Clerk of Council at 440-617-4053 or drosenbaum@cityofwestlake.org.

1. APPLICANT SUBMITS REQUEST

You will need to submit a zoning code amendment application to Westlake City Council requesting consideration for a change in the zoning code. Application forms are available at www.cityofwestlake.org or in the Council office. A \$100 fee must accompany the zoning code amendment 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 report 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 Council according to 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 hearing, 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; Chapters 1115.10 and 1235 of the Westlake Codified Ordinances)

The zoning code amendment 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 zoning requests may require more time, and zoning 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

What you need to know about Zoning Code Amendment Requests

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.



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ZONING CODE AMENDMENT APPLICATION

Date: _____

Name of applicant: _____

or Councilmember: _____ or Mayor: _____

Address of owner: _____

Telephone: _____ Fax #: _____ Email: _____

Name of agent: _____

Address of agent: _____

Telephone: _____ Fax #: _____ Email: _____

Type of request (check one): **MAP** **TEXT**

For MAP AMENDMENT complete the following:

1. Location of parcel(s): _____

2. Permanent parcel number(s): _____

3. Present zoning district classification: _____

4. Proposed zoning district classification: _____

5. Reason(s) for requesting the change: _____

6. Provide **20 copies of each, in collated sets** – application, legal description of parcel(s), map with dimensions.

For TEXT AMENDMENT complete the following:

1. Section(s) of zoning code proposed to be amended: _____

2. Proposed amendment (to be added, deleted or modified): _____

3. Reason(s) for requesting change(s): _____

4. Provide **20 copies** of completed application.

Signature of property owner or agent

Print name