



CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2015-105:

**AN ORDINANCE TO REVISE THE CODIFIED
ORDINANCES BY ADOPTING CURRENT
REPLACEMENT PAGES.**

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA, STATE OF OHIO:

Section 1: That the ordinances of the City of Westlake, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the July 2015 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2: That it is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake.

Section 3: That this legislation is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the further reason that it is immediately necessary for the earliest publication and distribution of current replacement pages to the officials and residents of the City, so as to facilitate administration, daily operation and avoid legal entanglements including conflict with general State law, and further provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 9/3/15

Michael F. Killeen
President of Council

Presented to Mayor: 9/4/15

Approved: 9/4/15

ATTEST:

Denise L. Rosenbaum, Clerk of Council

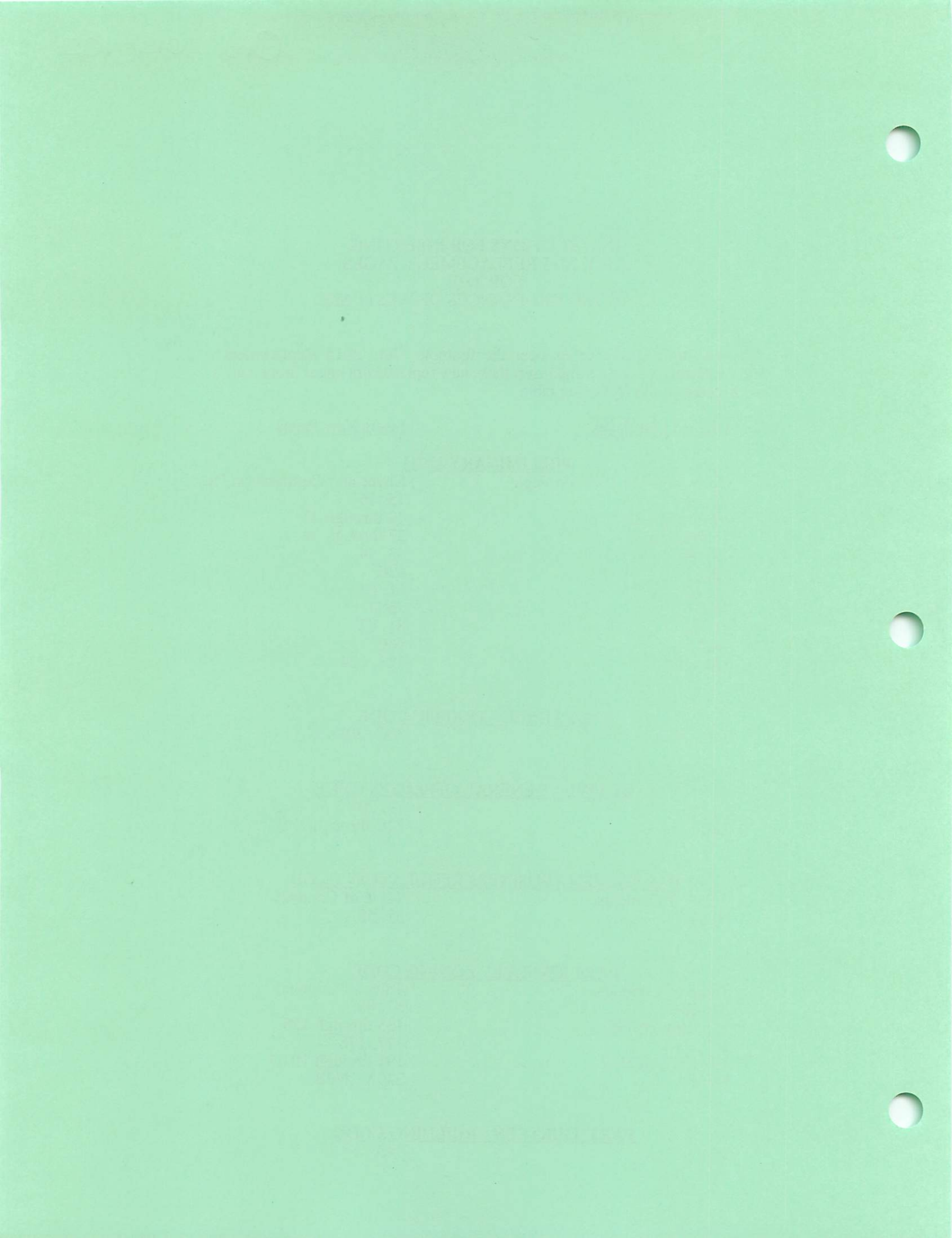
Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2015-105 adopted 9/3/15 was duly posted on 9/4/15 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.

INSTRUCTIONS FOR INSERTING
JULY 2015 REPLACEMENT PAGES
FOR THE
CODIFIED ORDINANCES OF WESTLAKE

All new replacement pages bear the footnote "July 2015 Replacement". Please discard old pages and insert these new replacement pages immediately as directed in the following table.

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**CODIFIED
ORDINANCES
OF THE
CITY OF
WESTLAKE
OHIO**

Complete to July 16, 2015

CERTIFICATION

We, Dennis M. Clough, Mayor, and Denise L. Rosenbaum, Clerk of Council, pursuant to Ohio R.C. 731.23 and 731.42, hereby certify that the general and permanent ordinances of the City of Westlake, Ohio, as revised, rearranged, compiled, renumbered as to sections, codified and printed herewith in component codes are correctly set forth and constitute the Codified Ordinances of Westlake, Ohio, 1993, as amended to July 16, 2015.

/s/ Dennis M. Clough
Mayor

/s/ Denise L. Rosenbaum
Clerk of Council

Codified, edited and prepared for
publication by
THE WALTER H. DRANE COMPANY
Cleveland, Ohio

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| 2011-54 | 6-16-11 | 167.26(c) | 2014-162 | 2-5-15 | 1211.03 |
| 2011-119 | 9-1-11 | 167.06 | 2015-60 | 5-7-15 | 313.11 |
| 2011-145 | 1-5-12 | 1381.071 | 2015-71 | 6-18-15 | 1221.11 |
| 2011-156 | 1-19-12 | 1130.05 | 2015-74 | 6-18-15 | 1230.01 |
| 2011-157 | 2-2-12 | 1211.29 | 2015-75 | 6-18-15 | 1211.04(b)(2) |
| 2012-8 | 2-2-12 | 1315.01, 1315.02, 1315.04 to 1315.06, 1315.99 | 2015-76 | 6-18-15 | 1216.03(g)(14), (h); Repeals footnote (g) |
| 2012-19 | 3-1-12 | 167.14 | 2015-77 | 6-4-15 | 757.01 to 757.04, 757.99 |
| 2012-39 | 5-3-12 | 941.011 | 2015-78 | 6-4-15 | 509.10 |
| 2012-42 | 4-5-12 | 1315.02, 1315.04, 1315.05, 1315.06, 1315.09 | 2015-95 | 7-2-15 | 1371.04(c)(1) |
| 2012-50 | 3-21-13 | 1221.05(g) | | | |
| 2012-51 | 5-17-12 | 123.04 | | | |
| 2012-70 | 10-4-12 | 1216.03 | | | |
| 2012-95 | 7-19-12 | 313.11(c)(d) | | | |
| 2012-113 | 9-20-12 | 313.11(b) | | | |
| 2012-128 | 12-6-12 | 915.01 to 915.24, 915.99 | | | |
| 2012-129 | 12-6-12 | 913.01 to 913.12 | | | |
| 2012-138 | 12-6-12 | 1303.06 | | | |
| 2012-171 | 12-20-12 | 1521.01 to 1521.10, 1521.99 | | | |
| 2012-178 | 12-20-12 | 105.01 | | | |
| 2013-1 | 7-3-14 | 167.03 | | | |
| 2013-12 | 2-21-13 | 1216.03 Schedule (b)(1) | | | |
| 2013-13 | 1-17-13 | 167.26 (a) | | | |
| 2013-14 | 3-21-13 | 1216.03 Schedule (f)(9); (z) | | | |
| 2013-33 | 6-6-13 | 141.04 | | | |
| 2013-39 | 9-5-13 | 1211.04(g)(4) | | | |
| 2013-40 | 9-5-13 | 1211.04(k)(o) | | | |
| 2013-53 | 5-16-13 | 1218.03, 1218.04 | | | |
| 2013-63 | 4-4-13 | 1315.02 | | | |
| 2013-75 | 5-16-13 | 915.13 | | | |
| 2013-105 | 6-20-13 | 947.03 | | | |
| 2013-113 | 6-20-13 | 141.04(c) | | | |
| 2013-128 | 12-19-13 | 1216.07 | | | |
| 2013-149 | 10-17-13 | 941.99 | | | |
| 2013-184 | 11-21-13 | 169.03 | | | |
| 2014-35 | 6-19-14 | 167.26 | | | |
| 2014-54 | 6-19-14 | 1203.05 | | | |
| 2014-94 | 9-4-14 | 1203.03, 1218.03 | | | |
| 2014-127 | 9-4-14 | 147.04 | | | |
| 2014-166 | 12-18-14 | 1203.18, 1218.03 | | | |
| 2014-167 | 12-18-14 | 1218.03 | | | |
| 2014-170 | 11-20-14 | 917.01, 919.01 | | | |
| 2015-1 | 1-6-15 | 169.03; Repeals 169.02 | | | |

TABLE B - EASEMENTS (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|--|
| 1972-216 | 12-7-72 | Accepting an easement from Forest City Enterprises, Inc., Sunrise Development, Inc., and Albert B. Ratner, Trustee, for water supply to Westown Apartments - Westown Blvd., Subdivision Phase 1. |
| 1972-217 | 3-1-73 | Accepting an easement from David S. Towner, Inc., Partner, for the installation and maintenance of a water main to supply water service to Westlake Estates - Foliage Cove Drive Subdivision. |
| 1972-223 | 12-7-72 | Accepting an easement from John P. and Betty A. Bochar for the purpose of supplying water into Cottage Dr. |
| 1973-90 | 8-16-73 | Accepting an easement from King James South for a water main. |
| 1973-135 | 4-18-74 | Accepting an easement from Lester J. Dworman for water service to Timberline Subdivision. |
| 1974-45 | 4-18-74 | Accepting an easement from Raymond A. Merritt for construction of Sanitary Sewer District 1204 Contract C-1. |
| 1974-46 | 4-18-74 | Accepting an easement from Mildred H. Balthaser for construction of Sanitary Sewer District 1204 Contract C-1. |
| 1974-64 | 6-13-74 | Accepting easements from Carl M. and Julia Limpert for construction of Sanitary Sewer District 1201 Contract E-9. |
| 1974-74 | 6-20-74 | Accepting an easement from Milan G. Busta and Paul Lipman for construction of Sanitary Sewer District 1204 Contract C-1. |
| 1974-81 | 6-20-74 | Accepting an easement from Samuel M. Perrone for water service in King James South. |
| 1974-103 | 8-22-74 | Accepting an easement from Westlake Land Co. for construction of Sanitary Sewer District 1201 Contract E-17. |
| 1975-114 | 9-4-75 | Vacating a portion of an easement on Sublot No. 109 in the Canterbury Manor Subdivision. |
| 1976-40 | 4-1-76 | Accepting an easement from the owners of Dover Wood Estates Subdivision Phase 1 and Phase 2 for drainage purposes. |
| 1976-59 | 4-15-76 | Accepting an easement from Samuel M. Perrone, Trustee for supplying water service by the City of Cleveland to Aynsley Ct. in King James South. |
| 1976-60 | 4-15-76 | Accepting an easement from Samuel M. Perone, Trustee, and Westland Builders, Inc., for supplying water service by the City of Cleveland to Banbury Ct. and Danford Sq. in King James South. |
| 1976-81 | 5-20-76 | Accepting an easement from William J. and Ruth F. Woyan for construction of a bridge over Sperry Creek and for sewer purposes. |
| 1976-82 | 5-20-76 | Accepting perpetual and temporary easements from the Church of the Unity, Inc., for construction of a sanitary sewer, a bridge over Sperry Creek and a temporary driveway. |
| 1976-97 | 6-3-76 | Accepting an easement from Elmer J. and Helen G. Wagar for construction of a bridge over Sperry Creek. |

TABLE B - EASEMENTS (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|--|
| 1976-98 | 6-3-76 | Accepting an easement from Elmer J. and Helen G. Wagar for sewer purposes. |
| 1976-105 | 6-17-76 | Accepting an easement from Leonard X. Freeman for sewer purposes. |
| 1976-106 | 7-15-76 | Accepting an easement from John F. and Edna M. Malone for sewer purposes. |
| 1976-109 | 7-1-76 | Accepting an easement from Samuel M. Perrone, Trustee for supplying water service by the City of Cleveland to Two King James South Office Building. |
| 1976-110 | 7-1-76 | Accepting an easement from Rockport Development Corp. for sewer purposes. |
| 1976-118 | 7-15-76 | Accepting easements from Danco Metal Products, Inc., Rud-Ric, Inc. and Schibley Solvent and Chemical Co., Inc., for sewer purposes. |
| 1976-119 | 7-15-76 | Accepting an easement from J. Scott and Mary Faucher for sewer purposes. |
| 1976-120 | 7-15-76 | Accepting an easement from Spartico and Ann DiBenedetto for sewer purposes in the Sandy Ridge Subdivision Nos. 7 and 11. |
| 1976-133 | 9-2-76 | Accepting an easement from Richard P. and Shirlee M. Needles and Westlake Development Co. for supplying water service by the City of Cleveland to Dover Woods Estates Subdivision II. |
| 1976-148 | 10-7-76 | Accepting revised easements from Mr. and Mrs. Earl Danielson, Danco Metal Products, Inc., Rud-Ric, Inc., and Schibley Solvent and Chemical Co., Inc., for sewer purposes. |
| 1976-191 | 12-2-76 | Accepting an easement from John A. and Alexandria A. Weeda for supplying water service by the City of Cleveland to the Weeda Apartments. |
| 1977-16 | 1-20-77 | Accepting the revised easement from the Church of the Unity, Inc., for the construction of a sanitary sewer, the Sperry Creek Bridge and temporary driveway and appurtenances thereto. |
| 1977-38 | 2-17-77 | Accepting an easement from Julia and Carl Limpert for storm drainage purposes. |
| 1977-43 | 3-3-77 | Accepting an easement from Flair Builders for supplying water service by the City of Cleveland to the Bay Landing Condominiums. |
| 1977-7 | 4-21-77 | Accepting an easement from Dorothy C. Dindia for street purposes at the intersection of Detroit and Columbia Rds. |
| 1977-8 | 4-21-77 | Accepting an easement from Lucia Dindia McIntyre for street purposes at the intersection of Detroit and Columbia Rds. |
| 1977-9 | 4-21-77 | Accepting an easement from Dorothy Dindia for street purposes at the intersection of Detroit and Columbia Rds. |
| 1977-96 | 6-2-77 | Accepting easements from Mary Elizabeth and Frederick Troyan for sewer purposes. |

TABLE B - EASEMENTS (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|---|
| 2013-111 | 6-20-13 | Appropriates various permanent highway easements on various properties in Westlake, Ohio pursuant to Ohio R.C. Chapter 163. |
| 2014-40 | 3-20-14 | Accepts various permanent highway easements for the Bradley Detroit Road Widening Project. |
| 2014-42 | 4-3-14 | Accepts various easements for the installation and maintenance of a water main for Crocker Park Phase III. |
| 2014-44 | 3-20-14 | Authorizes the Mayor to execute a water main easement release for the City of Cleveland. |
| 2014-96 | 6-5-14 | Accepts a permanent traffic controller, loop detector and utility easement on PPN 211-29-003 from Eliza Jennings Service Care Network. |
| 2014-98 | 6-5-14 | Accepts a permanent traffic controller, loop detector and utility easement on PPN 211-29-009 from FSW Properties, LLC. |
| 2014-116 | 7-17-14 | Grants an electric utility easement to the Cleveland Electric Illuminating Company for the installation of electric utility facilities along the west side of Crocker Road from Market Street to South Corporate Drive. |
| 2014-134 | 9-18-14 | Accepts an easement plat from Coral Westhampton LLC and Crocker Park LLC for Westhampton Phase III. |
| 2015-4 | 1-6-15 | Accepts permanent traffic controller, loop detector and utility easement on PPN 216-30-008 from Vintage Glen condominium Owners' Association, Inc. |
| 2015-5 | 1-6-15 | Accepts permanent traffic controller, loop detector and utility easement on PPN 216-30-001 from The Wyndgate Club Condominiums Unit Owners' Association, Inc. |
| 2015-79 | 5-21-15 | Grants electric utility easement to the Cleveland Electric Illuminating Company for the installation of electric utility facilities on City property located along west side of Crocker Road from Studio Way to American Boulevard. |
| 2015-81 | 6-4-15 | Accepts two easements from Coral Westhampton LLC for installation and maintenance of water mains to supply water service to Westhampton Phase 2A and 2B. |
| 2015-104 | 7-16-15 | Appropriates various permanent highway easements for the purpose of widening Canterbury and Detroit Roads. |

TABLE D - DEDICATION AND PLAT APPROVAL (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|--|
| 1971-126 | 9-2-71 | Tentatively accepting plat for recording purposes of Samuel M. Perrone, Trustee, proposed King James South Subdivision. |
| 1971-128 | 10-21-71 | Dedication of Bonny Bank Dr. in John Bontempo Subdivision. |
| 1972-16 | 3-2-72 | Tentatively accepting plat for recording purposes of Richard P. Needles Richmar Dr. Subdivision. |
| 1972-123 | 8-17-72 | Tentatively accepting plat for recording purposes of Forest City Enterprises, Inc., et al. Westown Apartment-Westown Blvd. Subdivision, Phase 1. |
| 1972-133 | 8-17-72 | Tentatively accepting plat for recording purposes of David S. Towner, Inc., partner, Westlake Estates - Foliage Cove Dr. Subdivision. |
| 1972-218 | 12-7-72 | Amends Ord. 1972-123. |
| 1972-219 | 12-7-72 | Amends Ord. 1972-133. |
| 1973-88 | 4-17-75 | Accepting for dedication certain streets in West Ridge Subdivision and West Ridge Subdivision No. 2. |
| 1973-134 | 4-18-74 | Tentatively accepting plat for recording purposes of Lester J. Dworman, Timberline Subdivision. |
| 1974-40 | 10-16-75 | Accepting for dedication King James Parkway, a street within the King James Parkway Subdivision South. |
| 1974-41 | 4-18-74 | Tentatively accepting plat for recording purposes of Samuel M. Perrone, proposed Center Ridge Place Co., Subdivision No. 2. |
| 1974-42 | 5-16-74 | Tentatively accepting plat for recording purposes of Huntington Valley Estates, Inc., proposed Meadow Lane Subdivision. |
| 1975-103 | 8-13-75 | Tentatively accepting plat for recording purposes of Richard P. Needles, owner, proposed Dover Wood Estates Subdivision. |
| 1975-105 | 9-4-75 | Tentatively accepting plat for recording purposes of Professional Builders of America, Inc., owner, proposed Howard Ferguson Subdivision No. 1. |
| 1975-161 | 12-18-75 | Accepting for dedication Brittany Circle, a street within King James Parkway Subdivision South. |
| 1976-15 | 4-1-76 | Tentatively accepting plat for recording purposes of Richard P. Needles, owner, proposed Dover Wood Estates Subdivision Phase 2. |
| 1976-38 | 7-1-76 | Tentatively accepting a plat for recording purposes of Spartico DiBenedetto, owner, proposed Sandy Ridge Subdivision No. 11, Phase 1 and 2. |
| 1976-39 | 3-18-76 | Tentatively accepting plat for recording purposes of Samuel M. Perrone, owner, proposed Rockport Development Corp. Subdivision No. 1, Phase 1. |
| 1976-57 | 5-6-76 | Tentatively accepting plat for recording purposes of Frank Lockner, owner proposed Queen's Court Subdivision. |
| 1976-78 | 7-1-76 | Tentatively accepting plat for recording purposes of Shamrock Development Corp., owner proposed Woods of Westlake Subdivision. |
| 1976-139 | 9-2-76 | Tentatively accepting plat for recording purposes of Gibson Partners, Inc., owner, proposed Hidden Acres Subdivision. |
| 1976-178 | 12-2-76 | Tentatively accepting plat for recording purposes of Richard Needles, owner, proposed Royal Forest Subdivision. |

TABLE D - DEDICATION AND PLAT APPROVAL (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|------------------|-------------|--|
| 1976-179 | 12-2-76 | Tentatively accepting plat for recording purposes of Robert Ream, owner, proposed Point West Subdivision. |
| 1977-4 | 3-5-81 | Accepts for dedication: Taylor's Mill Turn, Settler's Reserve Way, Hall's Carriage Path and Coe's Post Run, streets within the Rockport Subdivision No. 1. |
| 1977-5 | 9-15-77 | Accepting for dedication Bryandale Dr. and Whitehill Circle, in the Woods of Westlake Subdivision. |
| 1977-6 | 1-6-77 | Tentatively accepting plat for recording purposes of Huntington Valley Estates, Inc., proposed Meadowlane Subdivision No. 2, Phase 2. |
| 1977-63 | 5-19-77 | Tentatively accepting plat of Paul Lippman, Milan G. Busta, Trustees, and S. & W. Development Co., owners of the Pine View Subdivision. |
| 1977-105 | 9-15-77 | Accepting for dedication certain streets in Sandy Ridge Subdivision No. 7. |
| 1977-106 | 5-18-78 | Accepting for dedication certain streets in Sandy Ridge Subdivision No. 11. |
| Res. 1977-109 | 6-16-77 | Approving the preliminary plan of Rustic Woods Subdivision. |
| Res. 1977-110 | 6-16-77 | Approving the preliminary plan of Dover Wood Estates Subdivision No. 3, Phase III. |
| Res. 1977-126 | 7-21-77 | Approving the preliminary plan of Rockport Development Corp's Subdivision No. 2. |
| 1977-129 | 9-1-77 | Accepting for dedication real estate fronting on Columbia and Detroit Rds. for street purposes. |
| Res. 1977-130 | 9-15-77 | Approving the preliminary plan of Bretton Woods Park Subdivision. |
| Res. 1977-131 | 7-21-77 | Approving the preliminary plan of Sandy Ridge Subdivision No. 8, Phase III and IV. |
| 1977-168 | 1-4-79 | Accepting for dedication Royal Forest Dr., in the Royal Forest Subdivision. |
| 1977-169 | 1-19-78 | Tentatively accepting plat, for recording purposes, of the Colton Development Co., owner of the Savannah Subdivision Phase I. |
| 1977-170 | 3-2-78 | Tentatively accepting plat, for recording purposes, of Samuel M. Perrone, owner of proposed revised Rockport Development Corp. Subdivision No. 2. |
| 1977-181 | 10-20-77 | Accepting the extension of Clark Parkway south to Rose Rd. and including a portion of Creekside Dr. in Dover Wood Estates Subdivision No. 1. |
| 1977-182 | 10-20-77 | Accepting Creekside Dr. in Dover Wood Estates Subdivision No. 2. |
| Res. 1978-29 | 3-2-78 | Approving the preliminary plan of Emma Frick Subdivision. |
| Res. 1978-43 | 5-18-78 | Approving the preliminary plan of Canterbury Westlake Subdivision. |

TABLE D - DEDICATION AND PLAT APPROVAL (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|--|
| 2014-164 | 12-18-14 | Approves preliminary plan of the Bur Oak Phase II Major Subdivision. |
| 2014-173 | 1-6-15 | Approves preliminary plan of the Mallard Cove Subdivision Extension. |
| 2015-70 | 6-18-15 | Approves preliminary plan of the Reserve at Fox Run Major Subdivision. |
| 2015-82 | 6-4-15 | Approves (for recording purposes only) the final plat of the Mallard Cove Subdivision. |
| 2015-98 | 7-16-15 | Approves (for recording purposes only) the final plat of the Reserve at Fox Run Major Subdivision. |

TABLE I - ZONING MAP CHANGES (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|---|
| 2002-82 | 11-21-02 | Land on S side of Center Ridge Rd., E of Walter Rd. (part of Permanent Parcels 214-10-004 and 214-10-003 from R-1F-80 to Automobile Parking District. |
| 2002-83 | 11-7-02 | Land on NE corner of Columbia and Center Ridge Rds. (various permanent parcels) from R-1F-80 and Office Building Districts to General Business District. |
| 2003-40 | 5-1-03 | Land off Hilliard Blvd. and Sonoma Court (various permanent parcels) from R-MF-24 to R-1F-80 District. |
| 2005-30 | 5-19-05 | Part of Permanent Parcel No. 212-03-001 on S side of Westchester Pkwy. to rear of lots on Bryandale Dr. from R-MF-24 to R-MF-40 District. |
| 2005-31 | 2-2-06 | Vacant land on N/S side of Westchester Pkwy., west of northerly extension of existing N/S zoning line of Office Laboratory (P.P.N. 212-03-003 and pt. of P.P.N. 212-03-001) from R-MF-24 to R-MF-40 District. |
| 2005-32 | 2-16-06 | Land within King James North (various parcels) from Office Laboratory to R-MF-15 and R-MF-24 Districts. (Approved by voters 11-7-06) |
| 2005-34 | 2-16-06 | Land on NW side of Center Ridge Rd. (P.P.N. 216-11-008) from General Business to Health Campus District. |
| 2005-88 | 7-21-05 | Various permanent parcels on S side of Center Ridge Rd., W of Dover Center Rd. from Office Building, Shopping Center, R-1F-Cluster, and R-1F-80 Districts to R-MF-24 District. (Approved by voters 11-8-05.) |
| 2005-139 | 3-2-06 | Various permanent parcels on NE corner of Bradley and Clemens Rds. from Recreational Business to Industrial District. |
| 2005-140 | 1-19-06 | Property (P.P.N. 213-21-021 and 213-21-032) on Columbia Road from R-1F-80 to Automobile Parking District. |
| 2006-145 | 12-21-06 | Vacant land located on the west side of Dover Center Road between Bassett Road and Hilliard Boulevard, being Permanent Parcel No. 212-26-004 from R-1F-80 District to R-MF-24 District. |
| 2007-24 | 4-19-07 | Vacant land N of 680 Dover Center Rd. and S of New York, Chicago and St. Louis Rail Tracks (P.P.N. 212-05-037) from R-1F-80 and GB District to AP District. |
| 2007-65 | 4-19-07 | Directs zoning change: land on W side of Dover Center Rd. between Bassett Rd. and Hilliard Blvd. (P.P.N. 212-26-004) from R-1F-80 to R-MF-24 District; submitted to electors and passed at 11-6-07 election. |
| 2007-107 | 7-19-07 | Amends existing Crocker Park Planned Unit Development District by adding land parcels to this PUD District submitted to electors and passed at 11-6-07 election. |
| 2008-73 | 6-19-08 | Land located at 1230 Columbia Road from R-1F-80 to General Business District. |
| 2008-76 | 10-16-08 | Certain land located between Bradley Road and Crocker Road from Exclusive Industrial District to Health Campus District. |
| 2010-61 | 7-1-10 | Certain land located on Bradley Road, being Permanent Parcel No. 211-15-010, from Exclusive Industrial District to Office Building District. |

TABLE I - ZONING MAP CHANGES (Cont.)

| <u>Ord. No.</u> | <u>Date</u> | <u>Description</u> |
|-----------------|-------------|--|
| 2011-106 | 3-1-12 | Certain land being part of Permanent Parcel No. 211-25-002 from Shopping Center District to Planned Unit Development District. |
| 2011-109 | 9-15-11 | Certain land located on Clemens Road, being all of Permanent Parcel No. 212-11-002 and part of Permanent Parcel No. 212-11-034 and certain land located on Bassett Road being part of Permanent Parcel Nos. 212-11-029, 212-11-028, 212-11-027 and 212-11-004 from Office/Laboratory District to Office Building District. |
| 2012-83 | 7-19-12 | Exhibit A of Ordinance 2000-68 is hereby amended by the addition of approximately 2.0323 acres of the eastern portion of the Promenade known as part of Permanent Parcel No. 211-25-002. |
| 2012-116 | 12-6-12 | Certain vacant land located at 25100 Detroit Road, being Permanent Parcel No. 213-09-023 from Interchange Services District to Automobile Parking District. |
| 2013-32 | 4-18-13 | Certain land located on Clemens Road, being Permanent Parcel No. 211-20-003, from Exclusive Industrial District to Interchange Services District. |
| 2013-94 | 9-19-13 | Certain land located on Clemens Road, being Permanent Parcel No. 212-12-013, from Recreational Business District to Office Lab District. |
| 2013-193 | 2-20-14 | Certain land located on Clemens Road, being Permanent Parcel No. 211-15-016, from Exclusive Industrial District to Hotel/Motel District. |
| 2014-34 | 6-19-14 | Certain land located on the east side of Crocker Road and the south side of Center Ridge Road, being part of Permanent Parcel Nos. 217-28-004 and 217-28-006, from R-1F-80 District to Office Building District. |
| 2015-64 | 6-18-15 | Certain land located near Crocker Road, being Permanent Parcel No. 211-29-006 from R-1F-80 District to Automobile Parking District. |

- (1) Route 2, I-90, Columbia Road northbound exit ramp.
- (2) Crocker Road southbound at Center Ridge Road (except curb lane).
- (3) Route 2, I-90, Crocker Road westbound exit ramp (except curb lane).
- (4) Bradley Road southbound at Schwartz Road until the new signal is activated.
- (5) Schwartz Road eastbound at Bradley Road until the new signal is activated.
- (6) Route 2, I-90, Crocker Road eastbound exit ramp (except curb lane).
(Ord. 2015-60. Passed 5-7-15.)

(b) Drivers of motor vehicles are hereby prohibited from making a right turn against a red light at the following locations from 7:00 a.m. - 9:00 a.m. and 2:00 p.m. - 4:00 p.m. during school days:

- (1) Clague and Center Ridge Roads.
- (2) Clague Road and Hilliard Boulevard.
- (3) Dover Center and Center Ridge Roads.
- (4) Dover Center and Detroit Roads.
- (5) Queen Anne's Gate and Hilliard Boulevard.
- (6) Westhill and Hilliard Boulevard.
- (7) Dover Center Road and Hilliard Boulevard.
- (8) Westwood and Center Ridge Roads.
- (9) Walter and Center Ridge Roads.
- (10) Columbia Road and Hilliard Boulevard.
- (11) Southbound on Dover Center Road between Hilliard Boulevard and Center Ridge Road.
(Ord. 2012-113. Passed 9-20-12.)

(c) Drivers of motor vehicles are hereby prohibited from making a right turn against a red light at the following location from 4:00 p.m. - 6:00 p.m. Monday through Friday: eastbound Clemens Road onto southbound Crocker Road.

(c) Signs are hereby ordered to be posted indicating "No Right Turn on Red" for the intersections listed in subsection (a) hereof and "No Right Turn on Red from 7:00 a.m. - 9:00 a.m. and 2:00 p.m. - 4:00 p.m. during school days" at the intersections listed in subsection (b) hereof and "No Right Turn on Red from 4:00 p.m. - 6:00 p.m. Monday through Friday" at the intersections listed in subsection (c) hereof.
(Ord. 2012-95. Passed 7-19-12.)

313.12 PORTABLE SIGNAL PREEMPTION DEVICES PROHIBITED.

- (a) (1) No person shall possess a portable signal preemption device.
- (2) No person shall use a portable signal preemption device to affect the operation of a traffic control signal.

(b) Subsection (a)(1) of this section does not apply to any of the following persons and subsection (a)(2) of this section does not apply to any of the following persons when responding to an emergency call:

- (1) A peace officer, as defined in Ohio R.C. 109.71(A)(11), (12), (14) or (19);
- (2) A State highway patrol trooper;
- (3) A person while occupying a public safety vehicle as defined in Ohio R.C. 4511.01(E)(1), (3) or (4).

(c) Whoever violates subsection (a)(1) of this section is guilty of a misdemeanor of the fourth degree. Whoever violates subsection (a)(2) of this section is guilty of a misdemeanor of the first degree.

(d) As used in this section, "portable signal preemption device" means a device that, if activated by a person, is capable of changing a traffic control signal to green out of sequence. (ORC 4513.031)

313.99 PENALTY.

(EDITOR'S NOTE: See Section 303.99 for general Traffic Code penalty and penalties applicable to misdemeanor classifications.)

Except as otherwise provided in this section, whoever violates Section 313.08(a) or (c) or 313.10 is guilty of a misdemeanor of the third degree. If a violation of Section 313.08(a) or (c) creates a risk of physical harm to any person, the offender is guilty of a misdemeanor of the first degree. A violation of Section 313.08(a) or (c) that causes serious physical harm to property that is owned, leased or controlled by a State or local authority is a felony of the fourth degree and shall be prosecuted under appropriate State law. (ORC 4511.99)

CHAPTER 509
Disorderly Conduct and Peace Disturbance

| | | | |
|----------------|-------------------------------------|---------------|------------------------------|
| 509.01 | Riot. | 509.06 | Inducing panic. |
| 509.011 | Inciting to violence. | 509.07 | Making false alarms. |
| 509.02 | Failure to disperse. | 509.08 | Curfew. |
| 509.03 | Disorderly conduct; | 509.09 | Disturbing the peace. |
| | intoxication. | 509.10 | Civil emergency. |
| 509.04 | Disturbing a lawful meeting. | 509.99 | Penalty. |
| 509.05 | Misconduct at an emergency. | | |

CROSS REFERENCES

See sectional histories for similar State law
Use of force to suppress riot - see Ohio R.C. 2917.05
Cordoning off riot areas, prohibiting sales of firearms
and explosives - see Ohio R.C. 3761.16
Emergency suspension of permits and sales by Director of
Liquor Control - see Ohio R.C 4301.251
Criminal trespass - see GEN. OFF. 541.05

509.01 RIOT.

(a) No person shall participate with four or more others in a course of disorderly conduct in violation of Section 509.03:

- (1) With purpose to commit or facilitate the commission of a misdemeanor, other than disorderly conduct;
- (2) With purpose to intimidate a public official or employee into taking or refraining from official action, or with purpose to hinder, impede or obstruct a function of government;
- (3) With purpose to hinder, impede or obstruct the orderly process of administration or instruction at an educational institution, or to interfere with or disrupt lawful activities carried on at such institution.

(b) No person shall participate with four or more others with purpose to do an act with unlawful force or violence, even though such act might otherwise be lawful.

(c) Whoever violates this section is guilty of riot, a misdemeanor of the first degree. (ORC 2917.03)

509.011 INCITING TO VIOLENCE.

(a) No person shall knowingly engage in conduct designed to urge or incite another to commit any offense of violence, when either of the following apply:

- (1) The conduct takes place under circumstances that create a clear and present danger that any offense of violence will be committed;
- (2) The conduct proximately results in the commission of any offense of violence.

(b) Whoever violates this section is guilty of inciting to violence. If the offense of violence that the other person is being urged or incited to commit is a misdemeanor, inciting to violence is a misdemeanor of the first degree. (ORC 2917.01)

509.02 FAILURE TO DISPERSE.

(a) Where five or more persons are participating in a course of disorderly conduct in violation of Section 509.03, and there are other persons in the vicinity whose presence creates the likelihood of physical harm to persons or property or of serious public inconvenience, annoyance or alarm, a law enforcement officer or other public official may order the participants and such other persons to disperse. No person shall knowingly fail to obey such order.

(b) Nothing in this section requires persons to disperse who are peaceably assembled for a lawful purpose.

- (c) (1) Whoever violates this section is guilty of failure to disperse.
- (2) Except as otherwise provided in subsection (c)(3) hereof, failure to disperse is a minor misdemeanor.
- (3) Failure to disperse is a misdemeanor of the fourth degree if the failure to obey the order described in subsection (a) hereof, creates the likelihood of physical harm to persons or is committed at the scene of a fire, accident, disaster, riot, or emergency of any kind. (ORC 2917.04)

509.03 DISORDERLY CONDUCT; INTOXICATION.

(a) No person shall recklessly cause inconvenience, annoyance or alarm to another by doing any of the following:

- (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (2) Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person, which by its very utterance or usage inflicts injury or tends to incite an immediate breach of the peace;
- (3) Insulting, taunting or challenging another, under circumstances in which such conduct is likely to provoke a violent response;
- (4) Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property, so as to interfere with the rights of others, and by any act which serves no lawful and reasonable purpose of the offender;
- (5) Creating a condition which is physically offensive to persons or which presents a risk of physical harm to persons or property, by any act which serves no lawful and reasonable purpose of the offender.

(b) No person, while voluntarily intoxicated shall do either of the following:

- (1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if he were not intoxicated, should know is likely to have such effect on others;

(d) No parent, guardian or other adult person having the care and custody of a minor under the age of eighteen years shall knowingly permit such minor to loiter, idle, wander, stroll, play or be present in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, drive-in restaurants, vacant lots or other lots or parcels of land not such minors' place of residence or other unsupervised places, between the hours set forth in subsection (a) hereof.

The provisions of this section do not apply when the minor is accompanied by his parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his parent, guardian or other adult person having the care and custody of the minor.

(Ord. 1972-127. Passed 7-20-72.)

(e) Whoever violates any of the provisions of this section is guilty of a minor misdemeanor. Minors in violation of any of the provisions of this section shall be dealt with in accordance with Juvenile Court law and procedure.

509.09 DISTURBING THE PEACE.

No person shall disturb the good order and quiet of the Municipality by clamors or noises, by intoxication, drunkenness, fighting, quarreling, wrangling, committing assault, assault and battery, using obscene or profane language in the streets and other public places to the annoyance of the citizens, or otherwise violate the public peace by indecent and disorderly conduct, or by lewd and lascivious behavior, or by threatening or inflicting violence or abuse to the person or property of others.

(Ord. 1972-116. Passed 7-6-72; Ord. 1973-145. Passed 12-20-73.)

509.10 CIVIL EMERGENCY.

(a) Definitions.

(1) "Civil Emergency" means:

- A. A riot or unlawful assembly characterized by the use of force or violence or any threat to use such force by three or more persons acting together without the authority of law.
- B. Any natural disaster or manmade calamity, including flood, conflagration, cyclone, tornado, earthquake or explosion within the corporate limits of the Municipality, resulting or reasonably expected to result in the death or injury of persons or the destruction of property to such an extent that extra-ordinary measures must be taken to protect the public health, safety and welfare.

(2) "Curfew" means a prohibition against any person or persons walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Municipality, excepting persons officially designated to duty with reference to a civil emergency.

(b) Consultation by the Mayor. Upon receipt by the Mayor of information that a civil emergency may exist or that a threat of civil emergency may exist, the Mayor shall consult with the Director of Law, the Chiefs of the Police and Fire Departments and the Director of Public Service or other City officials as the Mayor deems appropriate.

(c) Determination of State of Civil Emergency and Powers of Mayor. Based on information received by the City officials whenever in the judgment of the Mayor, or his designee, there is substantial evidence that a state of civil emergency exists or the threat of a state of civil emergency exists as defined herein, the Mayor or his designee shall, in addition to all other powers granted him by the laws of this State and the ordinances of the Municipality, be empowered, in order to suppress such actions and preserve the peace and order of the Municipality and to protect its citizens and their property, to issue a proclamation declaring a state of civil emergency to exist, and may thereby exercise the powers granted in the following subsections:

- (1) To impose a curfew upon all or any portion of the Municipality, as designated therein, as he may deem advisable during such hours of the day or night as he determines necessary in the interest of the public safety and welfare, and during which all persons shall remove themselves to their places of residence and remain off and away from the public streets, sidewalks, parkways, parks and all other public or open places, and no persons shall assemble, gather, loiter or otherwise congregate in any manner in groups, assemblies or meetings in any place for any purpose whatsoever. However, persons performing medical services, essential public utility services, public officials, police officers, firefighters and all other persons explicitly enumerated in such proclamation, may be exempted from curfew.
- (2) To order the closing on any and all business establishments throughout the Municipality or any portion thereof, during the period for which the state of emergency exists or during the curfew hours.
- (3) To order discontinuance of selling, distributing, dispensing or giving away any firearms or other weapons of any character whatsoever.
- (4) To order the closing of any or all establishments or portions thereof, the chief activity of which is the sale, distribution, dispensing or giving away of firearms or ammunition or other weapons of any character whatsoever.
- (5) To order the closing of all retail and wholesale liquor stores, taverns and other places dispensing, serving or permitting the consumption of intoxicating or nonintoxicating beer.
- (6) To order the discontinuance of the sale, distribution or giving away of intoxicating or non-intoxicating liquors.
- (7) To order the closing of all private clubs or portions thereof, wherein the consumption of intoxicating liquor or non-intoxicating beer is permitted.
- (8) To order the discontinuance of selling, distributing or giving away gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle.
- (9) To order the closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of gasoline or other liquid flammable or combustible products.
- (10) To designate any public place, public street, thoroughfare, boulevard, parking area and any other place closed to motor vehicles and pedestrian traffic.
- (11) To order all regular, special and auxiliary police officers, firefighters, and other conservators of the peace to report for duty assignment, such reporting to be in accordance with prearranged plans or under the direction of lawful authority.
- (12) To call upon the National Guard and/or State Highway Patrol for assistance.

(d) **Proclamations.** The proclamation of emergency shall become effective immediately upon its execution and issuance by the Mayor, and the original thereof shall be filed and remain in the office of the Finance Director. Dissemination of information as to the proclamation shall be made to the public by appropriate news media, or, if time does not permit, any other form of oral or written public announcement calculated to inform the public as to the existence of the proclamation.

(e) **Duration of Emergency.** Any emergency proclaimed in accordance with the provisions of this section shall terminate after forty-eight hours from the issuance thereof, or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first. However, such emergency may be extended for such additional periods of time as determined necessary by the Mayor.

(f) Any person who willfully fails or refuses to comply with the orders of duly authorized law enforcement officers or personnel charged with the responsibility of enforcing the proclamation of emergency authorized herein, shall be deemed guilty of a misdemeanor of the first degree.

(Ord. 2015-78. Passed 6-4-15.)

509.99 PENALTY.

(EDITOR'S NOTE: See Section 501.99 for penalties applicable to any misdemeanor classification.)

CODIFIED ORDINANCES OF WESTLAKE
PART SEVEN - BUSINESS REGULATION CODE

- Chap. 707 Outdoor Dining Facilities.
- Chap. 711. Fortunetelling and Clairvoyancy.
- Chap. 713. Gas and Oil Wells.
- Chap. 715. Gasoline Stations.
- Chap. 717. Christmas Tree Sales.
- Chap. 719. Home Sales.
- Chap. 739. Mechanical Amusement Devices.
- Chap. 751. Peddlers, Solicitors and Canvassers.
- Chap. 753. Business Operations.
- Chap. 755. Licensing and Operation of Sexually Oriented
Businesses.
- Chap. 757. Hotel Regulations.

CHAPTER 757
Hotel Regulations

| | | | |
|---------------|--|---------------|-----------------------------|
| 757.01 | Definitions. | 757.04 | Permanent residency. |
| 757.02 | Hotel registration and retention. | 757.99 | Penalty. |
| 757.03 | Register to be open for inspection. | | |

CROSS REFERENCES

Hotel tax - see ADM. Ch. 195

Zoning district regulations - see P. & Z. 1216.03 et seq.

757.01 DEFINITIONS.

For purposes of this chapter:

- (a) "Hotel or motel" means every properly licensed establishment under the Ohio Revised Code, including but not limited to, any hotel, motel, inn, lodging house, apartment house, boarding house, rooming house, or extended stay hotel that is kept, used, maintained, advertised or held out to the public to be a place where living and sleeping accommodations are offered for consideration to guests, in which five or more rooms are used for the accommodation of such guests, whether such rooms are in one or several structures.
- (b) "Operator" means the person at the time of guest registration who is responsible for the day-to-day operations of the hotel or motel.
(Ord. 2015-77. Passed 6-4-15.)

757.02 HOTEL REGISTRATION AND RETENTION.

(a) A guest register shall be maintained at all times and the hotel or motel operator shall require each person to whom a room is let for occupancy to provide the true name and address of each guest in the register prior to renting or occupying the same. In the case of husband and wife, one person may sign for both. A parent or guardian may sign for children in their care. The operator shall verify the name and address of each person renting a room by a picture identification issued by a governmental entity. No person shall be permitted to rent a room without presenting a valid identification.

(b) The operator at the time of signing shall note opposite the name of each guest the room number or numbers of the room or rooms assigned for occupancy and the time and date of beginning such occupancy. The registration shall include the make, model and auto license plate number, if any, of any motor vehicle operated by such persons while lodging or occupying quarters at such hotel or motel. When a guest relinquishes occupancy, the operator shall note in the register the time and date of leaving. All registration requirements shall be made electronically and printable or recorded manually using ink and shall not be in any manner erased, obliterated or defaced.

(c) The guest register shall be retained on site for a period of not less than one year following the date of entry in the register and shall be available for inspection by law enforcement personnel at any time the hotel or motel is open for business.
(Ord. 2015-77. Passed 6-4-15.)

757.03 REGISTER TO BE OPEN FOR INSPECTION.

Guest registers shall be open for inspection and review by members of the Police and Fire Departments for the purposes of conducting investigations pursuant to the Codified Ordinances of the City or the Ohio Revised Code.
(Ord. 2015-77. Passed 6-4-15.)

757.04 PERMANENT RESIDENCY.

Hotel or motel 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 a hotel or motel shall be presumed to be a permanent resident in violation hereof.
(Ord. 2015-77. Passed 6-4-15.)

757.99 PENALTY.

Whoever violates this chapter is guilty of a misdemeanor of the first degree. A separate offense shall be deemed to be committed each day a violation occurs.
(Ord. 2015-77. Passed 6-4-15.)

CODIFIED ORDINANCES OF WESTLAKE
PART TWELVE - ZONING CODE

TITLE ONE - Scope and Application

- Chap. 1201. Intent and Application.
- Chap. 1203. Definitions.
- Chap. 1205. Establishment of Code and Map.

TITLE THREE - Zoning District Regulations

- Chap. 1210. Public Recreation and Education District.
- Chap. 1211. Residential Districts.
- Chap. 1212. Planned Unit Development District.
- Chap. 1213. Location of Sexually Oriented Businesses.
- Chap. 1214. Automobile Parking Districts.
- Chap. 1215. Planned Office District.
- Chap. 1216. Business Districts.
- Chap. 1217. Integrated Shopping Facility District.
- Chap. 1218. Industrial Districts.
- Chap. 1219. Health Campus District.

TITLE FIVE - Regulations Applying to All Use Districts

- Chap. 1220. Development Plans.
- Chap. 1221. Parking and Loading Facilities.
- Chap. 1222. Heliports and Helistops.
- Chap. 1223. Sign Regulations.
- Chap. 1224. Siting of Wireless Telecommunications Facilities.
- Chap. 1225. Nonconforming Uses.
- Chap. 1227. Conditional Uses.
- Chap. 1229. Similar Uses.
- Chap. 1230. General Provisions.

TITLE SEVEN - Administrative Provisions

- Chap. 1231. Administration, Enforcement and Penalty.
- Chap. 1233. Board of Zoning Appeals.
- Chap. 1235. Amending Procedures.
- Chap. 1237. Design Review Guidelines.

- (b) Private Garden, Structures, Fences, Walls and Hedges. Landscape features, limited to hedges, trees and shrubs, and yard structures limited to fences, trellises where used in place of a fence, walls, and garden ponds which shall be permitted but shall be regulated as set forth herein so they shall not substantially interfere with reception of sun, light and air on adjacent residential lots. In addition to the following regulations, fences shall be confined to the area within the lot line of the fence owner's property. They shall be designed to be aesthetically attractive and those along the lot line shall be designed, constructed and finished so that the supporting members shall face the property of the owner of the fence. Fences shall be maintained in good repair and appearance. No material or finish shall be used that by its appearance under prevailing appraisal practices and standards shall depreciate the value of neighboring and adjacent premises.
(Ord. 2008-61. Passed 2-19-09.)
- (1) Front yard of interior lots. Ornamental fences shall be permitted in the front yard, or in connection with a site feature, to a height of not more than two and one-half feet above the average finished grade but shall not be constructed within thirty-five feet of a planned right of way. Perimeter hedges shall be permitted in the front yard to a height of not more than two and one-half feet above finished grade. Fences shall be permitted along the side lot line in the front yard but shall not be constructed within fifteen feet of the planned right-of-way line to a height not exceeding six feet when:
- A. Residential properties abut a lot used or zoned for nonresidential purposes; or
- B. One-family or two-family dwellings abut a lot used or zoned for multi-family residential purposes.
- The height of fences along the public walkways abutting residential districts shall not exceed three feet in height from the street right-of-way line to the building line.
(Ord. 1993-71. Passed 6-3-93.)
- (2) Front yard of corner lot. Landscape features may be located within unobstructed sight zones in accordance with the regulations as set forth in Section 1230.01. On the interior side lot line of a corner lot, features may be permitted in accordance with the regulations for an interior lot as set forth in subsection (b)(1) hereof.
(Ord. 2015-75. Passed 6-18-15.)
- (3) Side and rear yards. Fences, walls or hedges may be permitted along the side or rear lot lines to a height of not more than six feet above the average finished grade except that on a corner lot, no fence, wall or hedge shall be located within twenty-five feet from the planned right-of-way line.
- (4) Other structures. Floodlights, search lights, loudspeakers or similar structures shall not be erected or used in a residential district in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent property.
(Ord. 1993-71. Passed 6-3-93.)

- (c) **Private Greenhouse.** A private greenhouse may be attached to the main structure if such attached greenhouse is not nearer to the street line than the outer front wall of the main structure, but such attached greenhouse shall be considered as part of the main structure in computing yard dimensions.
- (d) **Renting of Rooms.** The renting from a resident family of not more than two rooms to not more than two persons is permitted in residential districts as set forth in the Schedule, Section 1211.03, if the exterior character of the dwelling is not changed, no separate cooking facilities are maintained and off-street parking is provided as set forth in Chapter 1221.
- (e) **Gardens.** Fruits, vegetables and nursery plants raised for private use or sale are permitted as accessory uses in residential districts provided that no structure is erected, either permanent or temporary, for the sale or display of such produce.
- (f) **Raising of Domestic Animals.**
- (1) Not more than three dogs or cats more than four months old may be raised in a residential district. They shall not be kept in accessory structures or enclosures which are located less than forty feet from any adjacent residential structure.
 - (2) One horse may be kept on a lot not less than two acres in area, if the stable and corral, exclusive of perimeter fences, in which they are kept are located in the rear yard not less than 300 feet from a street right-of-way line, not less than 200 feet from any existing residence on adjacent property and not less than fifty feet from an adjoining lot line; an additional half acre of land shall be provided for each additional horse.
 - (3) No person shall keep a horse on any lot within the City unless a fenced corral and a stable to retain such animal are constructed on such lot.
 - (4) The keeping of all domestic animals shall be in accordance with the provisions of Chapter 505 of the General Offenses Code.
(Ord. 1977-108. Passed 9-1-77.)
 - (5) Provided, however, that notwithstanding any other provision of this Code, any accessory structure wherein dogs, cats or other animals are kept shall be located only within the rear yard of any such lot.
(Ord. 1986-153. Passed 11-6-86.)
- (g) **Private Swimming Pools.**
- (1) A private swimming pool, as defined in this Zoning Code, is a pool, pond, lake or open tank not located within an enclosed building, containing at least two feet of water at any point, and which is maintained by:
 - A. An individual for the exclusive use of his household and guests;
 - B. The owners or managers of a multi-family development for the exclusive use of tenants and guests, and operated without charge for admission and not operated for profit; or
 - C. Home associations for the exclusive use of members and guests.
(Ord. 2007-106. Passed 9-20-07.)
 - (2) A private swimming pool shall be permitted in a residential district provided that:
 - A. It is located on the same lot as the building or buildings served;
 - B. In a One-Family and Two-Family District, the pool and all mechanical equipment used in conjunction therewith is located only in the rear yard and is not less than ten feet from any lot line and in a Multi-Family District, the pool is located not less than thirty feet from a multi-family dwelling;
 - C. It is located on common land under the control of a homes association.

Schedule of Permitted Buildings and Uses (Cont.)

| Permitted Buildings and Uses | District | | | | | | |
|---|---------------|--------------------|----------------|--------------|-----------------|--------------|-----------------|
| | Off. Bldg. | Exec. Off. Park | Shop. Cntr. | Gen. Bus. | Intch. Serv. | Rec. Bus. | Hotel/ Motel |
| (g) Other Business Uses (Cont.) | | | | | | | |
| (5) Mortuary | | | | M | | | |
| (6) Motel or hotel | | | | | M | | M |
| (7) Heliport, helistop | | | C | | | | |
| (8) Commercial or municipal parking facilities for licensed automobiles | A | A | A | M | M | A | |
| (9) Training schools of a private, technical or professional nature | C | C | | M | | | |
| (10) Banks | C | C | M | M | M | | |
| (11) Conference center | | C | | | | | |
| (12) Printing and copy center | | A(d) | M | M | | | |
| (13) Nursery/ landscaping | C | | | C(t) | | | |
| (14) Extended Stay Hotel | | | | | | | M |
| (15) Animal Hospital | C | | | | | | |
| (16) Licensed child day care, preschool or adult day care facility | C(k)(n) | C/A(n) | C(n)(o) | C(n)(o) | | | |
| (17) (EDITOR'S NOTE: Former subsection (g)(17) was repealed by Ordinance 2003-26, passed April 17, 2003.) | | | | | | | |
| (18) Service and consumption of food and all beverages on the premises within an enclosed building on the premises | | C(e) | M | M | M | M | |
| (19) Self service storage establishment | | | | C(x) | | | |
| (h) Accessory Uses Incidental to Permitted Buildings and Uses: | | | | | | | |
| (1) All storage shall be wholly enclosed within the main or other approved building | A | | A | A | A | A | A |
| (2) Incinerator | A | | A | A | A | A | A |
| (3) Restaurant and/or assembly room in connection with a motel or hotel | | | | | A | A | A |
| (4) Beauty and barber shop | A | | | | A | A | A |

Schedule of Permitted Buildings and Uses (Cont.)

| Permitted Buildings and Uses | District | | | | | | |
|---|---------------|--------------------|----------------|--------------|-----------------|--------------|-----------------|
| | Off. Bldg. | Exec. Off. Park | Shop. Cntr. | Gen. Bus. | Intch. Serv. | Rec. Bus. | Hotel/ Motel |
| (h) Accessory Uses Incidental to Permitted Buildings and Uses: (Cont.) | | | | | | | |
| (5) Swimming pool and/or other recreational facility in connection with a motel or hotel | | | | | A | | A |
| (6) 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 |
| (7) 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 | | | |
| (8) Shoe repair | A | | | | | | |
| (9) Copy centers | A | | | | | | |
| (10) Gym and health facilities | A | | | | | | |
| (11) Photo studios | A | | | | | | |
| (12) Off-street parking and loading facilities as permitted and as regulated in Chapter 1221 | A | A | A | A | A | A | A |
| (13) Signs as permitted and as regulated in Chapter 1223 | A | A | A | A | A | A | A |
| (14) All accessory uses permitted within any residential district in connection with a permitted dwelling | A | | | | | | |
| (15) One Satellite Receiving Dish | A(f) | A(f) | A(f) | A(f) | A(f) | A(f) | A(f) |
| (16) Trash and material storage enclosed in main building or in an approved structure (j) | A | A | A | A | A | A | A |
| (17) Drugs, periodicals, tobacco | | A(d) | | | A | A | |

Schedule of Permitted Buildings and Uses (Cont.)

| Permitted Buildings and Uses | District | | | | | | |
|---|---------------|--------------------|----------------|--------------|-----------------|--------------|-----------------|
| | Off. Bldg. | Exec. Off. Park | Shop. Cntr. | Gen. Bus. | Intch. Serv. | Rec. Bus. | Hotel/ Motel |
| (h) Accessory Uses Incidental to Permitted Buildings and Uses: (Cont.) | | | | | | | |
| (18) Flowers, gifts, jewelry and notions | | A(d) | | | A | | |
| (19) Outdoor retail sales of live plants, flowers and farm produce | | | A(q) | A(q) | | | |
| (20) Outdoor sales of home garden materials, equipment and supplies | | | A(s) | A(s) | | | |
| (21) Recreational facilities and mechanical amusement devices as an accessory use to a restaurant | | | A(u)(v) | | A(u)(v) | A(u) | A(u)(v) |
| (22) Sleep study laboratories operated by a licensed medical facility in an extended stay hotel | | | | | | | A |

(Ord. 1989-134. Passed 6-15-89; Ord. 1993-76. Passed 7-15-93; Ord. 1993-77. Passed 7-15-93; Ord. 1993-138. Passed 12-2-93; Ord. 1995-40. Passed 4-20-95; Ord. 1995-43. Passed 5-4-95; Ord. 1996-18. Passed 7-9-96; Ord. 1996-155. Passed 11-7-96; Ord. 1997-33. Passed 6-19-97; Ord. 1997-76. Passed 5-15-97; Ord. 1997-127. Passed 9-4-97; Ord. 1997-247. Passed 2-19-98; Ord. 1998-238. Passed 1-7-99; Ord. 1999-142. Passed 10-21-99; Ord. 1999-176. Passed 12-16-99; Ord. 1999-205. Passed 4-20-00; Ord. 2000-60. Passed 6-15-00; Ord. 2000-155. Passed 2-15-01; Ord. 2001-86. Passed 9-6-01; Ord. 2002-162. Passed 12-19-02; Ord. 2003-238. Passed 2-20-04; Ord. 2003-243. Passed 2-19-04; Ord. 2009-138. Passed 6-17-10; Ord. 2013-12. Passed 2-21-13; Ord. 2013-14, Passed 3-21-13; Ord. 2015-76. Passed 6-18-15.)

- (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. A new automobile rental agency shall be permitted to rent automobiles as a conditional accessory use to a hotel/motel in an Interchange Services District, but parking for new automobile rental at main hotel/motel use shall not exceed 5% of the parking spaces on the parcel and is limited to hotels that are combined with assembly rooms or restaurants on 4.5 acres or more. 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. (Ord. 2012-70. Passed 10-4-12.)
- (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) (EDITOR'S NOTE: Former footnote (g) was repealed by Ordinance 2015-76.)
- (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.

TITLE FIVE - Regulations Applying to All Use Districts

- Chap. 1220. Development Plans.
 Chap. 1221. Parking and Loading Facilities.
 Chap. 1222. Heliports and Helistops.
 Chap. 1223. Sign Regulations.
 Chap. 1224. Siting of Wireless Telecommunications Facilities.
 Chap. 1225. Nonconforming Uses.
 Chap. 1227. Conditional Uses.
 Chap. 1229. Similar Uses.
 Chap. 1230. General Provisions.

**CHAPTER 1220
 Development Plans**

- | | | | |
|----------------|--|----------------|---|
| 1220.01 | Development plans required. | 1220.06 | Performance standards. |
| 1220.02 | Submittal of preliminary plans and presubmission conference. | 1220.07 | Approval of development plans. |
| 1220.03 | Development plan requirements. | 1220.08 | Application for building permit. |
| 1220.04 | Submittal of final development plan and post-submission conference. | 1220.09 | Revision; lapse of approval. |
| 1220.05 | Planning Commission review and modification. | 1220.10 | Development plans as affected by pending change in zoning classification district. |
| | | 1220.11 | Non-tolling of Zoning Ordinances. |

CROSS REFERENCES

- Shopping Center District development plans - see PLAN. & PLAT. Ch. 1109
 Residential district regulations - see ZON. Ch. 1211
 Development plan fees - see PLAN. & PLAT. Ch. 1115

1220.01 DEVELOPMENT PLANS REQUIRED.

Development plan approval shall be required for all new development, site improvements or building additions in the zoning districts or uses listed below. Development plans shall be submitted to the Department of Planning for review and approval by the Planning Commission of all development in Multi-family, Interchange Services, Shopping Center, General Business, Office Building, Executive Office Park, Recreation Business, Hotel/Motel, Exclusive Industrial, R-1F Cluster, Planned Office, Planned Unit Development, Health Campus District, and Office-Laboratory Districts, for all parking facilities in an Automobile Parking District and for all uses and buildings in R-1F-80 and R-2F-100 Districts excluding one and two family buildings and houses. (Ord. 2001-204. Passed 2-21-02.)

1220.02 SUBMITTAL OF PRELIMINARY PLANS AND PRESUBMISSION CONFERENCE.

Prior to submission of final development plans, the applicant shall submit seven preliminary copies of the development plans to the Department of Planning for initial review. The Director of Planning shall, within thirty days of the submittal by the applicant, review the plan for general conformance to the development plan requirements of Section 1220.03 and request that the applicant attend a presubmission conference to preliminarily discuss the application. The applicant shall make, if necessary, corrections, amendments or revisions and resubmit the complete development plans to the Planning Department according to Section 1220.04. (Ord. 1988-64. Passed 6-16-88.)

1220.03 DEVELOPMENT PLAN REQUIREMENTS.

All development plans or parts thereof shall be prepared and submitted by a State licensed/registered professional such as an engineer, surveyor or architect. Development plans shall be drawn at a scale of not less than fifty feet to the inch and a plan for a division of a development of a group of lots and shall be drawn at a scale of not less than one hundred feet to the inch. The development plans shall include all of the following items, unless waived by the Director of Planning.

- (a) Survey. A survey of the property including the permanent parcel numbers, land ownership and existing and proposed topography. Development plans shall also include a plat for the entire development area showing the street rights of way, easements, watercourses, retention basins, property line dimensions and bearings; surrounding streets and adjoining lots.
- (b) Buildings and Structures. The location, size, height, use, general design, color and exterior facade material of all main and accessory buildings or structures and proposed fences or walls. The plans shall also indicate the location and outline of buildings on adjoining parcels of land.
- (c) Floor Plans. Floor plans drawn to scale, dimensioned and labeled indicating the proposed uses of all building areas.
- (d) Streets and Sidewalks. The proposed public and private system of circulation including: automobiles, delivery trucks, emergency vehicles and pedestrian details for connection to existing streets and rights of way; methods to control traffic, size and type of pavement, estimate of traffic volume and proposed names of any street.
- (e) Parking and Loading Areas. The layout, location, dimensions and estimate of number of spaces, type of pavement, curbing, design features and landscaping.
- (f) Utilities. Preliminary on-site utilities including water lines, fire hydrants, sanitary sewers and storm sewers, including easements and connection to existing or proposed utility service to the project.
- (g) Outdoor Storage. The location and layout for all areas of all permitted storage or displays of any material, vehicle, waste material, products or container for storage including storage enclosures.

1221.09 IMPROVEMENTS OF PARKING AREAS.

Parking areas and access driveways shall be designed, constructed, altered, graded and maintained as follows:

- (a) **Grading and Pavement.** Parking areas and access driveways shall be so graded and drained so as to dispose of all surface water and drainage shall not be allowed to flow across a public sidewalk or onto adjacent properties. The areas and driveways shall be improved with bituminous or Portland cement pavement, in accordance with the standards established by the Building Code.
- (b) **Design of Areas.** Parking areas shall be so arranged and marked to provide for orderly and safe parking and storage of vehicles in accordance with the design standards mentioned in Section 1221.04(c) and shall be so improved with bumper guards or curbs to define parking spaces or limits of paved areas, except at entrances and exits, so as to prevent encroachment of vehicles into adjacent areas, public ways or setback as required by regulations for certain districts or by provisions in other sections of this Zoning Code.
- (c) **Signs.** Signs located on or related to parking areas shall be permitted as provided in Chapter 1223.
(Ord. 1969-169. Passed 7-16-70.)

1221.10 ILLUMINATION OF PARKING AREAS.

Parking areas shall be illuminated whenever necessary to protect the public safety. Lighting fixtures shall be so designed and located so as not to reflect direct rays of light in adjoining residential districts and streets. The intensity shall not be of excessive brightness nor cause a glare hazardous to pedestrians or automobile drivers.
(Ord. 1969-169. Passed 7-16-70.)

1221.11 DRIVEWAYS TO PARKING AREAS.

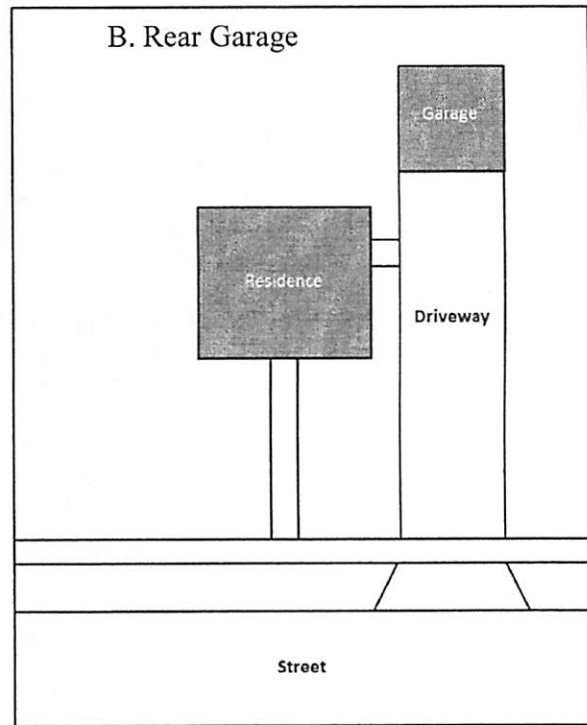
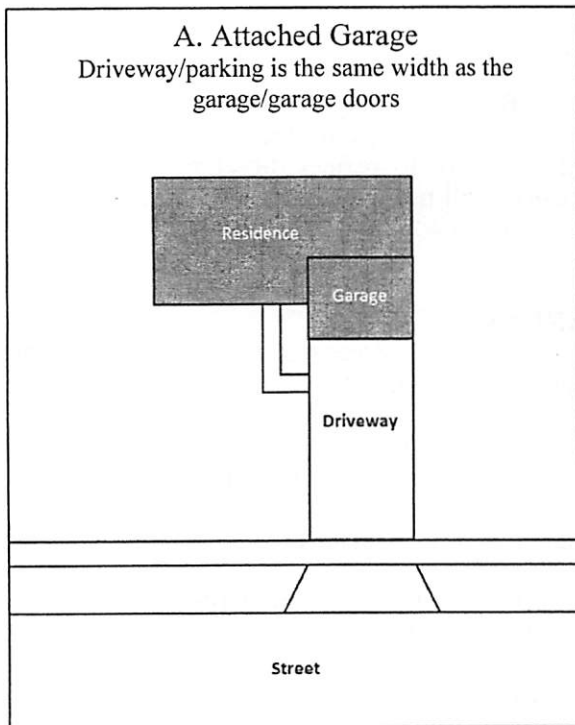
The location, width and number of driveways serving off-street parking facilities shall be planned in such a manner as to interfere as little as possible with the use of adjacent property and the flow of traffic on the street system.

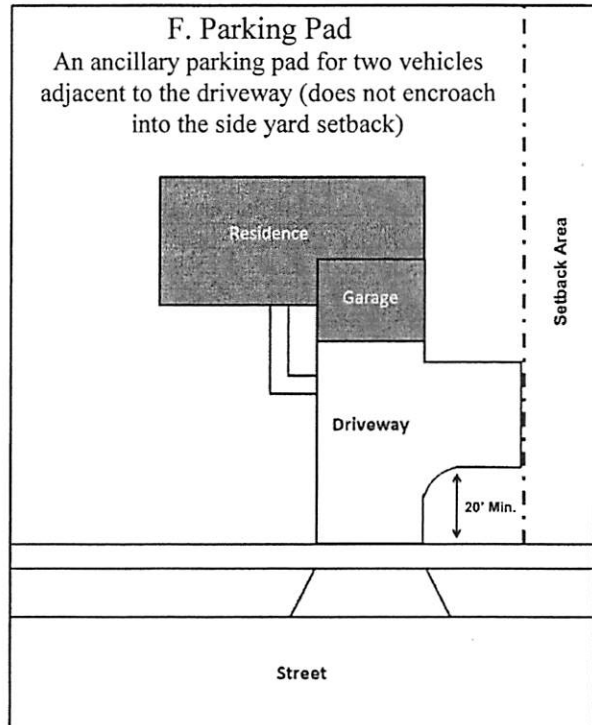
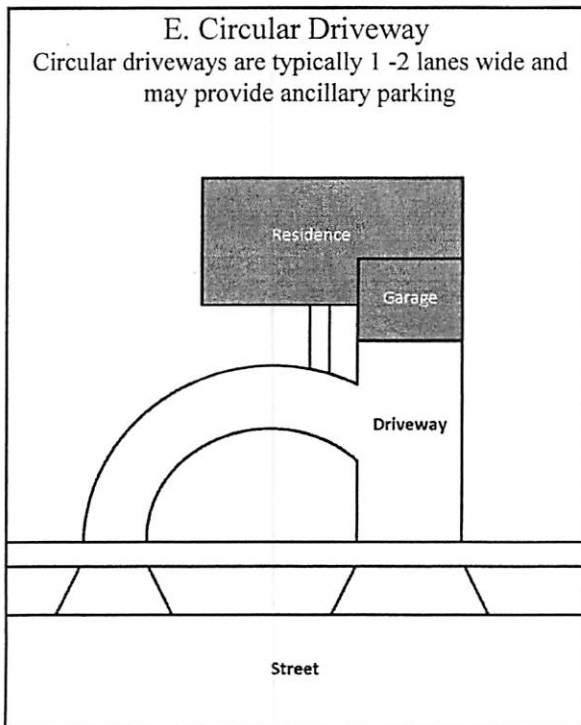
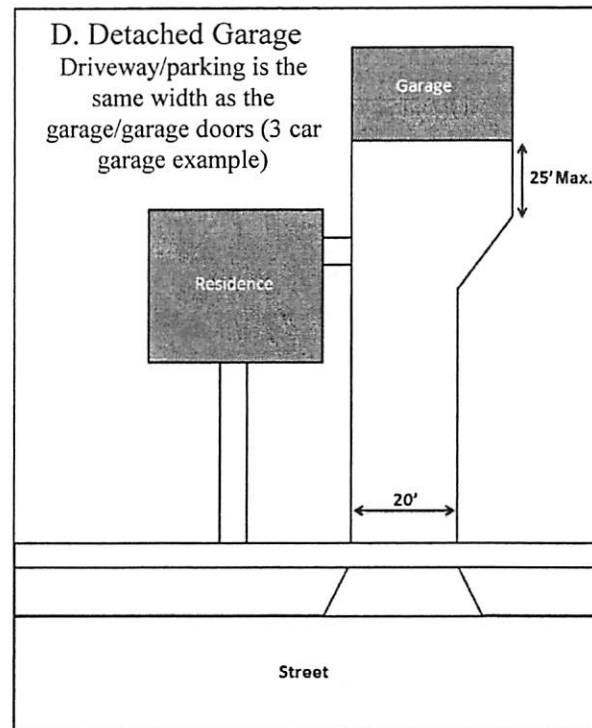
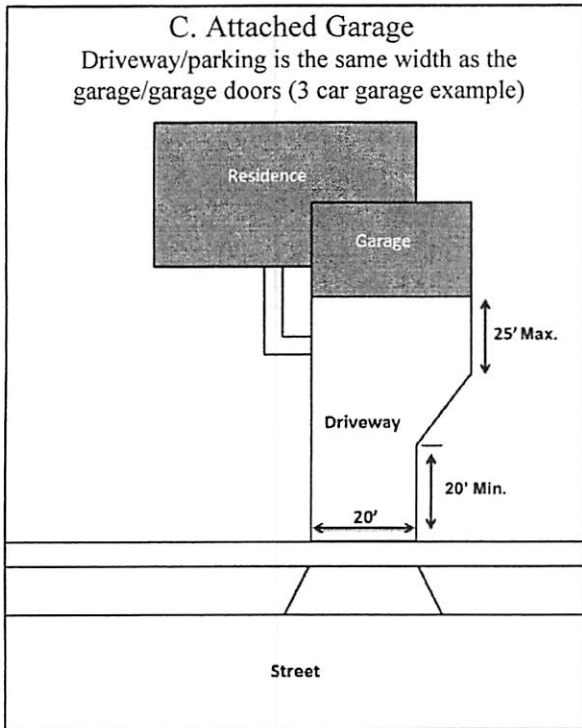
- (a) **Driveways/Parking for One-family and Two-family Dwellings.** Driveways and associated off-street parking areas shall be provided for residences in accordance with the following standards:
 - (1) Driveway/parking shall consist of an improved surface of concrete, asphalt or brick.
 - (2) Driveway/parking shall not cover more than fourteen percent (14%) of an entire lot nor shall they cover more than thirty-five percent (35%) of front yard.
 - (3) Driveway/parking shall be located in accordance with the following regulations and Section 1221.11(b):
 - A. The location shall be approved by the Engineering Department.
 - B. The location may be in a required front, side or rear yard in accordance with the following regulations:
 - a. Vehicles shall not be parked:
 - i. On lawns or other unpaved areas.
 - ii. Where they extend over any portion of a lot line or public sidewalk.
 - iii. Within an unobstructed sight zone.

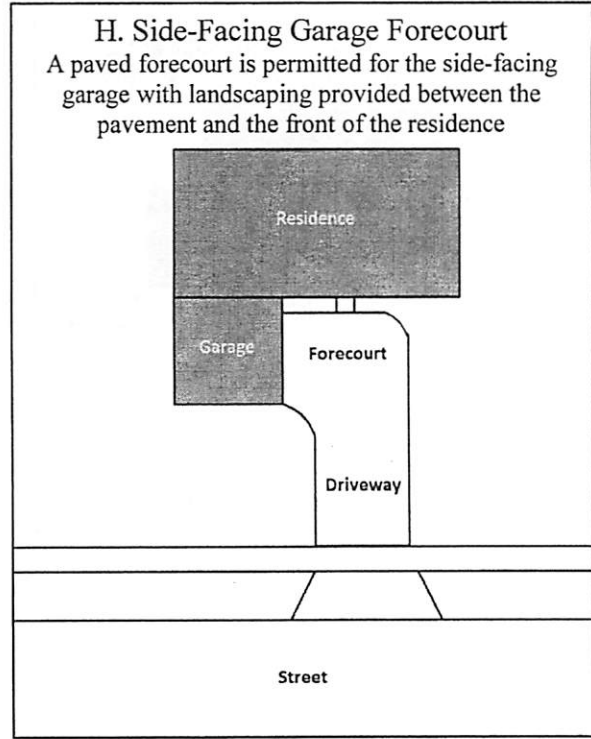
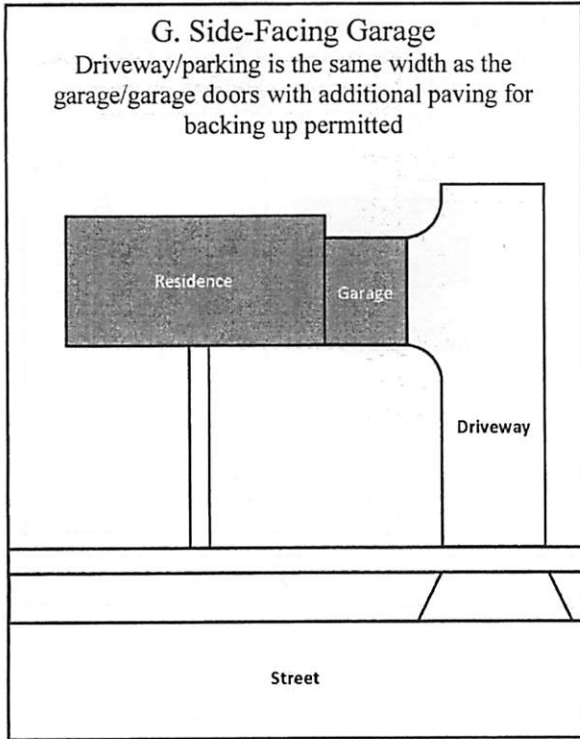
- b. The location of parking areas shall typically be in front of and not wider than the garage for the residence with the maximum width of the driveway limited to 20 feet when not within 25 feet of the garage.
- c. The rear yard shall not be paved for parking unless it is also the location of a garage.
- d. Ancillary parking is permitted on circular driveways and/or on parking pads adjacent to driveways.
 - i. Parking pads shall not be located within side yard setbacks.
 - ii. Parking pads are limited to one per property for a maximum of two vehicles,

(b) Illustrative Driveway/Parking Layouts.

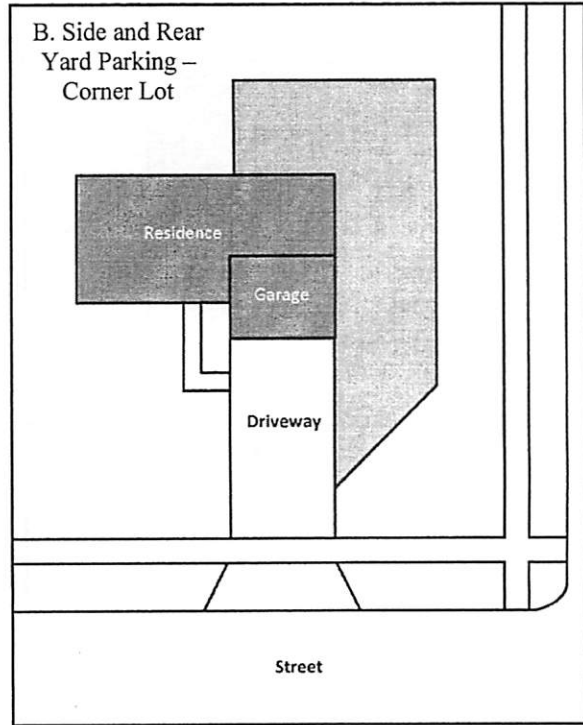
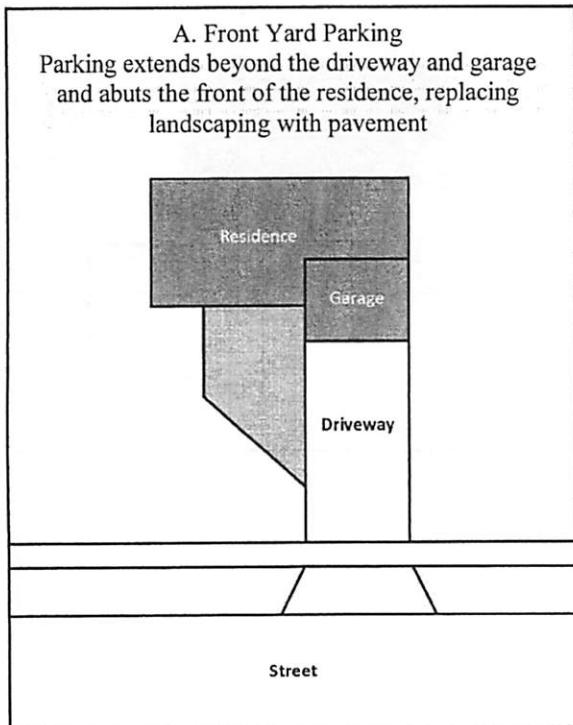
(1) Driveway/parking-examples of permitted layouts.

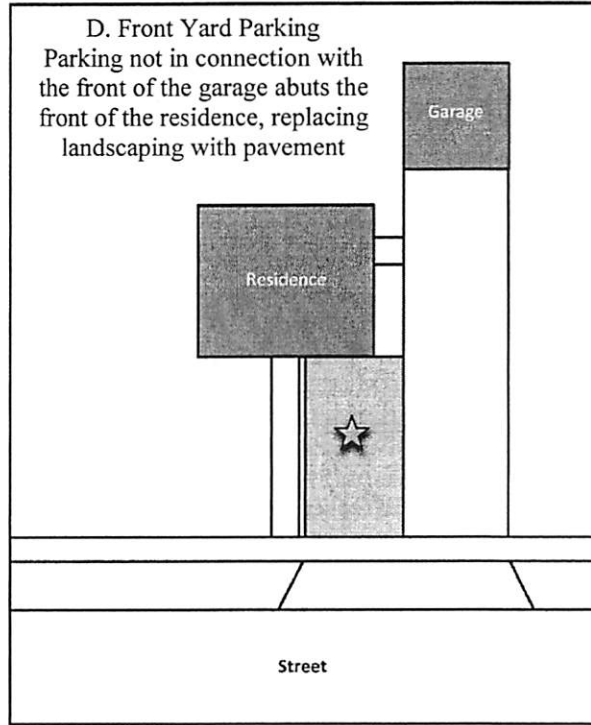
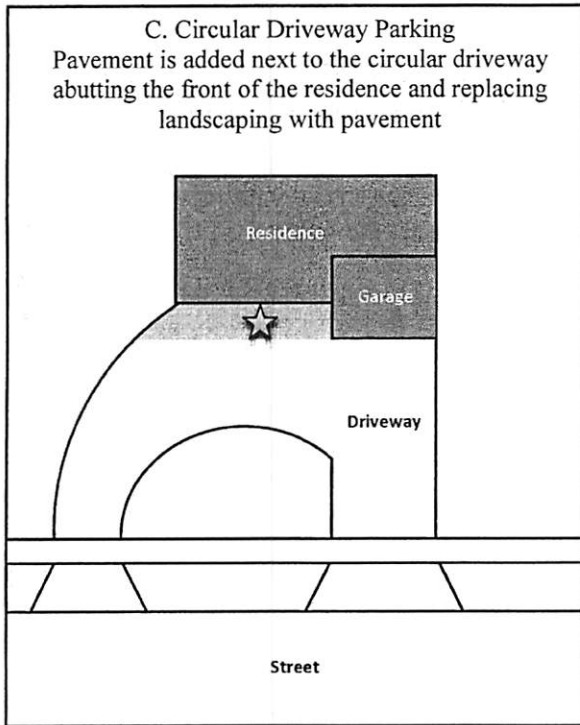






(2) Driveway/parking - examples of layouts that are not permitted.





- (c) Driveways for Uses Other than One-Family and Two-Family Dwellings.
 Driveways to parking areas shall be provided for all permitted uses according to the standards set forth in the following schedule:

| Number of Parking Spaces Served | Distance From Center Line of Access Drive to Right of Way at Nearest Intersecting Street ⁽ⁱⁱ⁾ | Number of Drives | | Minimum Number of Access Lanes | Minimum Distance Between Center line of Drives ⁽ⁱⁱ⁾ |
|---------------------------------|--|------------------|------|--------------------------------|--|
| | | Min. | Max. | | |
| 19 or less | 40 | 1 | 2 | 1 | 50 |
| 20 to 59 | 40 | 1 | 2 | 2 | 50 |
| 60 to 299 | 100 | 1 | 2 | 2 | 50 |
| 300 to 999 | 150 | 1 | 2 | 3 | 100 |
| 1000 to 2999 | 200 | 2 | 3 | 6 | 100 |
| 3000 and over | 300 | 3 | 4 | 10 ⁽ⁱ⁾ | 200 between 2 four-lane drives 100 between all other drives |

- (i) The Planning Commission may require these distances to be increased in order to minimize interference with the flow of traffic on dedicated streets. The Commission may permit a decrease in the required distances if in the opinion of the Commission such decrease will not unduly interfere with the flow of traffic on dedicated streets.
- (ii) At least four of the required lanes shall be provided on one divided drive. Access drives to parking areas of 1,000 - 2,999 spaces shall extend into the parking facility a distance of not less than 100 feet from the planned street right of way with a solid curb or other barrier on each side of the drive. Access drives to parking areas of more than 3,000 spaces shall extend into the parking facility a distance of not less than 150 feet from the planned street right of way with a solid curb or other barrier on each side of the drive. Parking facilities shall be designed so that all vehicles may be driven forward into the street. This provision shall apply to all permitted uses in all use districts except for one-family and two-family dwellings located on local residential streets. One-family and two-family dwellings located on streets designated as major streets or arterial streets as shown on the City Thoroughfare Plan or Guide Plan shall comply with this provision. The width of driveways to parking areas measured at the street property line (right of way) shall not exceed four lanes in width and shall conform to the following schedule. In the case of a four-lane drive, the lanes shall be designed as two adjacent entrance and exit lanes divided by a barrier a minimum of six feet wide.

| Width of Driveway | | |
|--------------------------|---------------------|---------------------|
| Number of Lanes in Drive | Minimum (in feet) | Maximum (in feet) |
| One lane | 10 | 12 |
| Two lanes | 20 | 24 |
| Three lanes | 30 | 34 |
| Four lanes | 40 ⁽ⁱⁱⁱ⁾ | 46 ⁽ⁱⁱⁱ⁾ |

(iii) Plus a minimum six-foot divider.

In Executive Office Park Districts there shall be no more than two access drives to a public street per twelve-acre development area. (Ord. 2015-71. Passed 6-18-15.)

1221.12 ACCESS TO PROPERTY, INTERCHANGE SERVICES DISTRICT.

(a) In an Interchange Services District no access street or driveway shall be located less than 600 feet from the intersection of a freeway ramp with any thoroughfare, unless a marginal road is planned for by providing a setback greater than required. Access to an existing residential use may be continued for the duration of such use.

Access driveways shall be limited to two for each lot containing a business use and shall be established as follows:

- (1) The width of the permitted access driveways shall be not greater than twenty-four feet;
- (2) The apron of such driveway shall be delineated by a curb of twenty feet radius;
- (3) The curb shall be continued or another suitable barrier shall be provided along the road frontage between access points to prevent unchanneled vehicular ingress or egress. The location of an access driveway adjacent to a side lot line is encouraged, so that when adjoining lots are developed, a joint two-way access is created and maintained.

(b) If a plan is submitted for the comprehensive development of contiguous lots having a total frontage of not less than 600 feet in an Interchange Services District, and incorporating a marginal service road or parallel service road combining the access of several developments or other approved facilities with controlled access points not less than 600 feet apart, the Planning Commission may:

- (1) Approve such plan with reductions in required minimum lot widths to 150 feet and side yards to ten feet (except adjacent to residential districts);
- (2) Approve such plans as provided in subsection (a) herein with temporary accesses to individual sites for a limited period, until the overall development is completed according to the approved plan.
(Ord. 1969-169. Passed 7-16-70.)

1221.13 LOADING FACILITIES.

Accessory loading and unloading facilities shall be provided as a condition precedent to occupancy of all business, service and industrial buildings hereafter erected and altered to such uses. Such facilities shall be maintained as long as such building is occupied or unless equivalent facilities are provided in conformance with the regulations of this chapter.

- (a) Allocation of Use. Space required and allocated for any off-street loading shall not, whole so allocated, be used to satisfy the space requirements for off-street parking. An off-street loading space shall not be used for repairing or servicing of motor vehicles, and it shall be available for its designated purpose when needed.
- (b) Location of Facility. In an industrial district, a loading space or loading dock shall not be permitted in a front yard or constructed on any part of the front face of a building. A loading space or loading dock may be constructed on a side face of a building provided the loading dock is located at least fifty-five feet away from the front face of the building as measured from the side of the loading dock closest to the front face of the building to the closest part of the front face of the building. A loading space or loading dock may be located on the rear face of a building. In all situations, a loading space or loading dock shall be in accordance with side or rear yards as required for parking areas in Section 1218.04. In a business district a required loading space shall be permitted as provided in Section 1216.06.
- (c) Access Driveways. Each required off-street loading space shall be designed for direct vehicular access by means of a driveway or driveways, to a public street in a manner which will least interfere with traffic movements. The access shall be located so that the driveway center line shall be not less than forty feet from the nearest intersecting street line.
- (d) Improvements. All accessory off-street loading spaces shall be improved as required for parking areas as set forth in the Building Code.

- (e) **Minimum Size Criteria.** Each required off-street loading space for buildings less than 20,000 square feet in gross floor area shall be at least ten feet wide by at least twenty-five feet in length. Each required loading space for a building of 20,000 square feet or more of floor area shall be not less than fourteen feet wide by sixty feet in length. The above areas shall be exclusive of the maneuvering space and each space shall have a vertical clearance of at least seventeen feet.
- (f) **Schedule of Required Loading Facilities.** Buildings of less than 5,000 square feet of floor area shall be provided with sufficient off-street loading facilities so that a truck will not obstruct a public right of way. Buildings of 5,000 square feet or more shall be provided with accessory off-street loading spaces as follows:

| <u>Building, Use or Activity</u> | <u>Gross Floor Area of Building (in square feet)</u> | <u>Required Minimum Number of Spaces</u> |
|--|--|--|
| Retail stores, all types | 5,000 to 10,000 | 1 |
| | 10,000 to 40,000 | 2 |
| | 40,000 to 100,000 | 3 |
| Printing, publishing warehouses, storage establishments | 5,000 to 40,000 | 1 |
| | 40,000 to 100,000 | 2 |
| Servicing, cleaning, repairing, testing or manufacturing establishments | 5,000 to 40,000 | 1 |
| | 40,000 to 100,000 | 2 |
| | each additional 100,000 | 1 additional space |

If a proposed use does not require the number of loading spaces as provided in the above schedule due to the nature of the business or industrial use, the Director of Inspections may permit the construction of a lesser number of spaces, provided however, the additional area required to provide the number of spaces in the schedule shall be reserved and held as open area (along with all required yards) for future construction of loading spaces in the event the use of the building is changed to require the additional loading spaces.
(Ord. 1987-91. Passed 6-18-87.)

1221.14 APPROVAL OF FACILITIES.

Detailed drawings of accessory off-street parking and loading facilities shall be submitted to the Planning Commission for review and approval in accordance with all the provisions of this chapter and where applicable with the provisions of Chapter 1220.
(Ord. 1969-169. Passed 7-16-70.)

1221.15 ACCESS TO BUSINESS AND INDUSTRIAL DISTRICTS.

No access driveways or walks shall be permitted in or through any residential area to gain ingress or egress to land or buildings in a business or industrial district.
(Ord. 1971-20. Passed 6-17-71.)

CHAPTER 1230
General Provisions

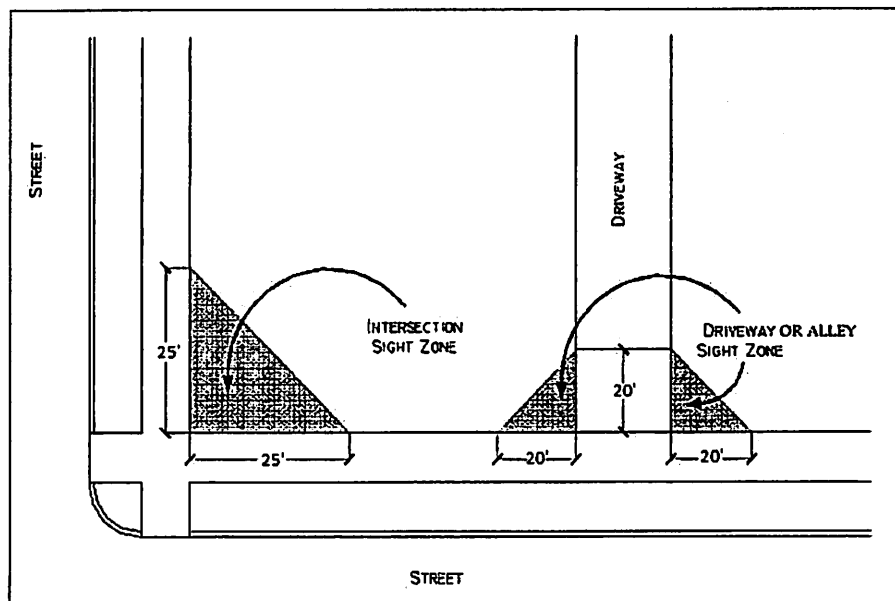
1230.01 Unobstructed sight zone.

1230.01 UNOBSTRUCTED SIGHT ZONE.

No sign, ornamental fence, wall, structure, or planting shall be erected, established or maintained on any lot which will obstruct the view of drivers in vehicles approaching an intersection of two streets or the intersection of a street and a driveway, except as provided below. This area shall be known as the unobstructed sight zone.

- (a) The unobstructed sight zone shall be determined as follows:
- (1) The area formed at the corner intersection of two planned right-of-way lines. The two sides of the triangular area being 25 feet in length measured along abutting planned right-of-way lines and third side being a line connecting these two sides, or
 - (2) The area formed at the corner intersection of a planned right-of-way and a driveway, the two sides of the triangular area being 20 feet in length measured along the right-of-way line and edge of the driveway, and the third side being a line connecting these two sides.

UNOBSTRUCTED SIGHT ZONES



- (b) Fences, walls, structures, or plantings located in the unobstructed sight zone shall not be permitted to obstruct cross-visibility within a vertical height band between two and one-half feet to six feet above curb level. Trees shall be permitted provided that limbs and foliage are trimmed so that they do not extend into the cross-visibility area or otherwise create a traffic hazard.
(Ord. 2015-74. Passed 6-18-15.)

- (c) Hydrant outlets: Cleveland Standard Threads.
- (1) One 5" Integral Storz Pumper Connection.
 - (2) Two 2½ outlets, 3.066" minimum, eight threads per inch; 3.078" maximum, eight threads per inch.
(Ord. 2015-95. Passed 7-2-15.)

1371.05 EXCEPTIONS.

Any structure containing 500 square feet of floor space or less, which is built in accordance with these Codified Ordinances and which is set apart fifty feet or more from any other structure or property line, and all one and two family dwellings and accessory uses, shall be exempt from the provisions of this chapter.
(Ord. 2001-194. Passed 1-3-02.)

1371.99 PENALTY.

(EDITOR'S NOTE: See Section 1311.99 for general Building Code penalty.)