

**AN ORDINANCE CLARIFYING THE POWERS AND DUTIES OF THE PLANNING AND ZONING COMMISSION AND THE ZONING INSPECTOR AND AMENDING SECTIONS 1103.01, 1103.02 AND 1103.04 OF THE ZONING CODE OF THE VILLAGE OF RICHFIELD, OHIO**

BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio:

SECTION 1: That Sections 1103.01, 1103.02 and 1103.04 of the Zoning Code of the Village of Richfield, Ohio, be amended to read as follows:

**"1103.01 POWERS OF THE ZONING INSPECTOR.**

The Zoning Inspector shall be and act as the administrative officer for the purpose of effecting proper administration and enforcement of the Zoning Code. The Zoning Inspector shall have the power to issue zoning certificates for permitted uses in Residential Districts."

**"1103.02 POWERS OF PLANNING AND ZONING COMMISSION.**

The Planning and Zoning Commission shall have the power to issue zoning certificates for conditionally permitted uses in all zoning districts and for permitted uses in all nonresidential zoning districts."

**"1103.04 ZONING CERTIFICATES REQUIRED; EXPIRATION.**

(a) No land use shall be commenced or changed, and no structure shall be erected enlarged, until a zoning certificate has been obtained. Any zoning certificate based on any false material or statement in the application or supporting documents is absolutely void from the beginning and shall be revoked. No zoning certificate shall remain valid if the use or structure it authorizes becomes non-conforming.

(b) Within thirty days after receipt of a complete application, the Zoning Inspector shall act on such application. The Zoning Inspector or the Planning and Zoning Commission as provided in Section 1103.01 and Section 1103.02 shall as part of the review of each application for a zoning certificate give due consideration to the design, amenities, natural features and existing structures on the site as well as the overall appearance and relationship to adjoining parcels.

In the case of an application for a permitted use within a residential district, the Zoning Inspector shall either issue a zoning certificate, forward the application and his or her comments to the Planning and Zoning Commission for action or reject the application in writing, with reasons for the rejection stated.

In the case of an application for a permitted use in a non-residential zoning district or a conditionally permitted use within all zoning districts, the Zoning Inspector shall forward the application and his or her comments to the Zoning Commission for action.

After the Planning Commission has received an application from the Zoning Inspector, said application shall be discussed at the next Regular Meeting of the Commission, provided that it is received in sufficient time to be accommodated on the Agenda.

(c) The Zoning Inspector and Planning and Zoning Commission shall be guided by the following standards in reviewing each application for a zoning certificate:

- (1) Materials shall be appropriate for the use of the building for weathering and for relationship to other materials including those used on adjacent buildings.
- (2) Colors and textures shall be appropriate for the size and scale of the building, for weathering, and for relationship to the site and adjacent buildings.
- (3) Architectural details and ornaments shall be meaningful to the overall design, appropriate for the size and scale of the buildings and for weathering.
- (4) Mechanical equipment shall be considered as it affects rooftop appearance, sidewall openings, sound levels, smoke and other nuisance aspects; and as it relates to overhead wires, gas and electric meter stations and any other visible appurtenances.
- (5) Approaches, drives and parking areas shall be considered as they affect the appearance from the street and from the site, as well. The relationship of paving to the building shall be appropriate considering factors such as safety, drainage and landscaping.
- (6) Landscaping shall be appropriate for the size and use of the area and for its relationship to building, street, parking area, walks and adjacent buildings.
- (7) Lighting shall be considered for the appropriateness of nighttime illumination of the grounds, drives, walks, parking areas, the building and its affect upon surrounding areas.
- (8) Signs shall be considered for appropriateness of size, scale, shape, color and illumination in relation to building and site.
- (9) The application shall comply with all relevant land planning and zoning regulations, standards and criteria.
- (10) The development shall be coordinated and integrated with the surrounding natural and man-made features.
- (11) The development shall be coordinated and integrated with the surrounding developments considering both site development and architecture. The developer may be required to conform with a local overall plan for the area established by the Commission.

The Commission, in addition to its review, may refer the development plans to any interested agencies, its planning and architectural consultants, the Village Engineer, the Village Law Director and all Village Departments for review, comments and recommendations, including improvements. Review of the development plans shall consist of the items listed above.

(d) After having received the aforementioned comments and recommendations and having sufficient time to review the comments and recommendations, the Commission may act on the application at its next Regular Meeting or the Planning and Zoning Commission may defer action due to required plan revisions or additions. The Commission shall attempt to take action within seventy days after the meeting at which the discussion was held. The Commission shall state in its records any and all special conditions as the Commission deems necessary to carry out the purpose of this Zoning Code.

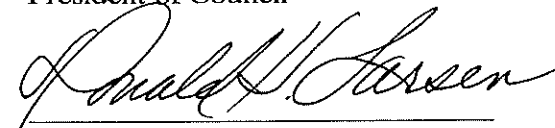
(e) If the Commission denies any application for a zoning certificate, it shall state in its records the reasons for such refusal.

(f) No zoning certificate shall be issued until the eleventh day after a sign has been posted on the land which is the subject of the certificate, with a legend thereon stating that a zoning certificate has been applied for and that a set of plans is available for inspection by the public at the Village Hall.

(g) A zoning certificate shall become void at the expiration of one year after its date of issuance, unless construction is started. If no construction is started or use changed within one year of the date of a certificate, a new certificate shall be required."

Passed: January 21, 1997

  
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President of Council

  
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Mayor

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1/22/97  
Dated

ATTEST  
  
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Clerk of Council