

CHAPTER 1289 ADMINISTRATION

1289.01 RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT

The responsibility for administering this Zoning Code is hereby conferred upon the Director of Planning and Community Development and his/her designees. The responsibility for enforcing the provisions of this code is hereby conferred upon the Zoning Inspector under the direction and supervision of the Director of Planning and Community Development.

(Ordinance 2008-66, passed 5/5/08, effective 6/14/08)

1289.02 COMPLIANCE REQUIRED

Hereafter, in the City of Solon, no land shall be used or occupied and no structure shall be built, reconstructed, altered, used, or occupied except as permitted by this Zoning Code and in conformity with the regulations established herein for the zoning district in which such land or structure is located. If any use of land is not explicitly permitted under the terms of this Zoning Code, said use shall be considered to be prohibited.

(Ordinance 2008-66, passed 5/5/08, effective 6/14/08)

1289.03 CERTIFICATE OF ZONING COMPLIANCE

- A. CERTIFICATE OF ZONING COMPLIANCE REQUIRED** - No structure shall be built, expanded, altered, remodeled, moved, or reconstructed and no excavation for a foundation shall be made, nor shall any land be used or occupied until and unless a permit, hereinafter called a Certificate of Zoning Compliance, has been issued by the Director of Planning and Community Development or his/her designees subject to the provisions of this code. However, a Certificate of Zoning Compliance for any non-residential project and/or use of land, or any multi-family residential project and/or use of land, shall be considered to be “issued” upon final approval of such project by the Planning Commission and/or City Council, subject to the conditions established for such approval, under the provisions of this code. The issuance of a Certificate of Zoning Compliance shall be a prerequisite requirement to the issuance of a Building Permit for any structure or use of property governed by this code. No Certificate of Zoning Compliance shall be issued except in accordance with the site plan review requirements of this code.
- B. EXPIRATION OF CERTIFICATE OF ZONING COMPLIANCE** – A Certificate of Zoning Compliance shall expire and become voided within ninety (90) days of the date of issuance unless a Building Permit for the structure or use is also secured within this time period. If a Building Permit is issued for a structure or use within ninety (90) days of the date of issuance of a Certificate of Zoning Compliance, such Certificate of Zoning Compliance shall only expire and become voided if the corresponding Building Permit becomes voided. Any Certificate of Zoning Compliance that is issued for any structure or use that is not subject to the issuance of a Building Permit, shall expire and become voided if the use or structure for which the certificate has been issued has not been substantially commenced within ninety (90) days of the date of issuance of the Certificate.

(Ordinance 2008-66, passed 5/5/08, effective 6/14/08)

**1289.04 PLANNING COMMISSION/BOARD OF ZONING APPEALS/BUILDING
CODE BOARD OF APPEALS
(FUNCTIONS AND DUTIES)**

- A. POWERS OF THE PLANNING COMMISSION/BOARD OF ZONING APPEALS/BUILDING CODE BOARD OF APPEALS** - For the purposes of this Zoning Code, and for the purposes of Section 1404.06 of the Building and Housing Code, the powers of the Planning Commission, Board of Zoning Appeals, and the Building Code Board of Appeals shall be constituted in one board, therefore the terms “Planning Commission”, “Board of Zoning Appeals”, and “Building Code Board of Appeals” shall be considered to be

synonymous. Such Commission shall have the authority to review site plans for compliance with health, safety, and welfare standards; recommend variances from the requirements of the Zoning Code; hear appeals from administrative decisions regarding the enforcement of the Zoning Code; hear appeals from administrative decisions regarding the enforcement of the City of Solon Building Code; prepare and recommend zone changes and text amendments; prepare and recommend plans for the future development and redevelopment of the City; provide recommendations regarding plats and the subdivision of land, and exercise such other powers and other duties as conferred upon it by the City Council and/or the City Charter and the Ordinances of the City of Solon.

- B. PROCEDURES OF THE PLANNING COMMISSION/BOARD OF ZONING APPEALS/BUILDING CODE BOARD OF APPEALS** - All meetings of the Planning Commission/Board of Appeals/Building Code Board of Appeals shall be public, except for executive sessions as provided by Article XIII, Section 5 of the Charter. The Commission shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact. The Commission shall adopt from time to time such rules and regulations as it may deem necessary to carry in to effect the provisions of this Zoning Code.
- C. COMPOSITION AND TERMS OF THE PLANNING COMMISSION** – The City Planning Commission shall consist of the Mayor; one (1) member of City Council appointed by City Council; and three (3) electors of the City that do not hold any other municipal office, as appointed by the Mayor. The three (3) elector members of the Commission shall be appointed to serve a term of six (6) years. A vacancy occurring during the term of any member of the Planning Commission shall be filled for the un-expired term in the manner authorized for an original appointment.
- D. COMPENSATION** – Each member of the Planning Commission shall receive a fee of two hundred (\$200.00) dollars per each meeting at which they are in attendance.

(Ordinance 2008-66, passed 5/5/08, effective 6/14/08)

1289.05 SITE PLAN AND DESIGN REVIEW BY THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT (FUNCTIONS AND RESPONSIBILITIES)

- A. ESTABLISHMENT AND PURPOSE OF SITE PLAN AND DESIGN REVIEW BY THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT** - The Director of Planning and Community Development shall be responsible for guiding the preliminary development of project site plans for the purpose of protecting the value, appearance, and use of buildings, properties, and neighborhoods within the City; to promote and maintain a high quality of community development and redevelopment; to protect the public health, safety

and welfare; and to protect real estate values within the City from impairment or destruction, through the consistent application of sound community planning, architectural, and design principals as guided by City Master Planning and design goals.

Such purposes shall be accomplished by the Director of Planning and Community Development by providing preliminary review, evaluation, and recommendations regarding all site plans, building and structure elevations, and landscape plans, for all proposed non-residential and multi-family residential development and by guiding applicants in the preparation of such plans, including any proposed construction, reconstruction, exterior modification, or alteration of any non-residential or multifamily residential building, structure, or premises, including but not limited to all apartment buildings, places of worship, schools, offices, commercial buildings, industrial buildings, and any associated accessory uses, and including any proposal to add, remove, or alter the landscape plan or site amenities associated with such uses. The Director of Planning and Community Development shall have the authority to utilize professional consultants (including but not limited to Architects and Landscape Architects) and/or relevant City Staff in assisting with the provision of design review functions as determined to be necessary and appropriate in his/ her professional judgment in consideration of the specific project in question.

The Director of Planning and Community Development shall provide recommendations and guidance to the Planning Commission and City Council regarding all such buildings, structures, and premises relating to design and architecture, use of construction materials, colors, dimensions, orientation, and location in accordance with sound planning, architectural, and design principals, and in accordance with any design standards specifically established within this Code. The Planning Commission and/or City Council shall have exclusive authority to accept, modify, or reject any recommendation of the Director of Planning and Community Development. The Director of Planning and Community Development shall have no authority to review landscaping and exterior design features for single family and/or two family homes and associated premises except as explicitly authorized within this Zoning Code. However, City Council and/or the Planning Commission shall have the authority to request input from the Director of Planning and Community Development pertaining to landscaping and exterior design features for single family and/or two family homes and associated premises with regards to any matter that is appropriately before either Board.

The Director of Planning and Community Development shall have the authority to review, approve, disapprove, or issue Certificates of Zoning Compliance for all proposals to erect, modify, move, or remove Signage within the City of Solon, including residential signs, in accordance with the provisions and requirements of this Zoning Code. Proposed signage need not be reviewed by the Planning Commission and/or City Council unless extenuating circumstances (variances, etc.) would otherwise properly bring such proposed signage before such Boards for further review.

(Ordinance 2008-66, passed 5/5/08, effective 6/14/08)