

To: Stephen Schutt, President of Council
Members of Council

From: Diane A. Calta, Director of Law

Re: Proposed Amendment to Mayfield Village Codified Ordinance Section 1149.02
(Conditional Uses Permits)

Date: May 28, 2026

Mayfield Village Codified Ordinance Section 1149.02 addresses the process for granting conditional use permits in the Village. It does not address how a permit may be transferred upon the sale of a business or other transfer of ownership. We are proposing an amendment to Section 1149.02 to implement a uniform process for transferring of a conditional use permit in the event of a change of ownership or control of the entity granted a conditional use permit.

Legislation authorizing this proposed amendment will be placed on Council's agenda for first reading consideration on June 22nd. The legislation should also be referred to the Planning Commission after its first reading, for their review and comment prior to Council's passage of the same.

The proposed additional language is as follows:

(p) Transfer of Ownership of Conditional Use Permit. Every conditional use permit issued shall be personal to the permittee and applicable only to the specific use and to the specific property for which it is issued. However, the Planning and Zoning Commission and City Council may, upon an application for transfer of a conditional use permit, approve the transfer of the conditional use permit to a new owner, so long as the specific use and the specific property remain the same. Upon issuance of an occupancy permit for the conditional use, signifying that all zoning and site development requirements imposed in connection with the permit have been satisfied, the conditional use permit, shall thereafter be transferable and shall run with the land, whereupon the maintenance or special conditions imposed by the permit, as well as compliance with other provisions of the zoning district, shall be the responsibility of the property owner and new permittee.

