

**ORDINANCE NO.:** 2013-19 (AMENDED OCTOBER 22, 2013)  
**SPONSOR:** MAYOR NORTON  
**INTRODUCED:** OCTOBER 8, 2013      **ASSIGNED TO:** PLANNING

**AN ORDINANCE AMENDING THE DEFINITIONS OF “ADULT FAMILY HOME” AND “ADULT GROUP HOME” CONTAINED IN SECTION 1231.02 AND AMENDING THE TABLE OF ALLOWED USES CONTAINED IN SECTION 1226.01 OF THE LAND DEVELOPMENT CODE.**

WHEREAS, based upon recent conversations with a property owner in the City of Green, the Planning Department has recommended an amendment to the definitions of “Adult Family Home” and “Adult Group Home” as set forth in Section 1231.02 of the Land Development Code to reflect changes in the Ohio Revised Code; and

WHEREAS, the Planning Department has also reviewed the Table of Allowed Uses contained in Section 1226.01 of the Land Development Code and recommends that amendments be made to that Table regarding the location of a “Adult Group Home”; and

WHEREAS, at its meeting on September 18 24 , 2013, the Planning & Zoning Commission reviewed the proposed amendments and made a favorable recommendation to City Council for the amendments by a vote of 5-0; and

WHEREAS, pursuant to Green’s Codified Ordinance, Section 1224.04(4)(E), Green City Council is required to adopt or deny the recommendation of the Planning & Zoning Commission, or adopt some modification to their recommendation; and

WHEREAS, pursuant to Green’s Codified Ordinance Section 1224.04(4)(E) and the City’s Charter, Green City Council is required to set a time for Public Hearing on the proposed amendment.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:**

**SECTION ONE:**

Green City Council, pursuant to Green’s Codified Ordinance Section 1224.04(E), amends the definition of “Adult Family Home” and “Adult Group Home” as contained in Section 1231.02 as follows:

**Adult Family Home**

A residence or facility, as defined and regulated in Ohio R.C. Chapter 3722 5123.19 which provides accommodations for three to ~~five~~ **six** unrelated adults and provides supervision and personal care services to at least three of the unrelated adults.

**Adult Group Home**

A residence or facility, as defined and regulated in Ohio R.C. Chapter 3722 5123.19 which provides accommodations for ~~six~~ **seven** to sixteen unrelated adults and provides supervision and personal care services to at least three of the unrelated adults.

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SECTION TWO:

City of Council amends the Table of Allowed Uses contained in Section 1226.01 of the Land Development Code as set forth in Exhibit "A".

SECTION THREE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FOUR:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: November 12, 2013

Molly Kapeluck  
Molly Kapeluck, Clerk

David France  
David France, Council President

APPROVED: November 12, 2013

Richard G. Norton  
Richard G. Norton, Mayor

ENACTED EFFECTIVE: Dec 12, 2013

ON ROLL CALL: Colopy - yes France - yes Humphrey - yes Knodel - yes  
Neugebauer - yes Reed - yes Summerville - yes Adopted 7-2

Suburbanite publication on Nov 17 and Nov 24, 2013

Molly Kapeluck  
Molly Kapeluck, Clerk

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SVGE ZONE PARK ROAD ENG  
TOWN ENGINEERING MAY PLAN FIRE

48 10/9/13

Table 1226-1: Allowed Uses											
Uses P = Permitted C = Conditional	R-R	R-1	R-2	B-1	B-2	B-3	B-4	B-5	I-1	PD	Additional Regulations See Section:
<b>Agricultural Uses</b>											
Agriculture - animal husbandry and keeping of livestock	P	P						C	P		1226.02(2)
Agriculture - raising of crops	P	P	P	P	P	P	P	P	P	P	
Nurseries and greenhouses	C			P		C	C	C	P		
<b>Residential Uses</b>											
Adult family homes (3 to 5 6 adults)	P	P	P							C	
Adult group homes (6 7 to 16 adults)			C							C	
Multi-Family dwellings			P							P	
Nursing homes and assisted living facilities			C	C	C	C				P	1226.02(10)
Open Space Subdivisions	P	PC	C							P	
Single-Family dwellings	P	P	P							P	
Two-family dwellings		C	P							P	
<b>Commercial Uses</b>											
Airport and airport related facilities								P			
Automotive body repair				P			P	P	P		
Automotive car washes				P			P	P			
Automotive fuel sales				P		C	P	P		P	1226.02(3)
Automotive rental				P			P	P	P		
Automotive repair and service & body repair				P			P	P	P		1226.02(3)
Automotive sales				P		C	P	P			
Banquet halls				P			P	P		P	
Bars and taverns				P		C	P	P		P	
Bed and breakfast establishments	C	C	C							P	
Day care centers				P	P	P		C	C	P	1226.02(5)
Day care home, Type A (7 to 12 children, or 4 to 12 children when 4 or more are under two years old)				C	C	C			C		1226.02(5)
Day care home, Type B (1 to 6 children, no 3 children are under two years old)	P	P	P							P	
Drive-through facilities				C	C	C	P	P		P	
Financial institutions				P	P	P	P	P		P	
Funeral homes				P	C	C	P	P	P		
Hotels and motels				P			P	P		P	
Kennels				P				C	P		1226.02(8)