

ORDINANCE NO. 25-2009

Offered by All of Council

AN ORDINANCE TO AMEND SECTIONS 1141.01 AND 1141.02 OF THE PLANNING AND ZONING CODE TO PERMIT ASSISTED LIVING FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE C-1 LOCAL COMMERCIAL DISTRICT

WHEREAS, the Zoning Inspector has received an application from the Legacy Senior Care Group, LLC pursuant to Section 1107.02(c) for an initiation of an amendment to the Zoning Code; and

WHEREAS, the Zoning Inspector has informed the applicant of the application requirements as set forth in Section 1107.03 of the Planning and Zoning Code; and

WHEREAS, Section 1107.04 provides that this Council shall refer a text or copy of the text amendment to the Zoning Code together with maps or copies thereof to the Planning and Zoning Commission; and

WHEREAS, Section 1107.04 provides that the Planning Commission shall be allowed a reasonable period of time, not more than thirty days, for consideration and report to Council, unless Council shall provide a different period of time.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That Section 1141.01, "Purpose," of the Planning and Zoning Code be amended to read as follows:

"1141.01 PURPOSE.

The C-1 District is established to provide for uses principally to accommodate the sale of retail goods and services and assisted living facilities that benefit the community. It is intended that the design of this District will encourage groupings of establishments located on a unified site providing adequate off-street parking facilities as well as an efficient and safe method of handling vehicular and pedestrian traffic."

SECTION 2. That Section 1141.02, "Uses," be amended by adding a new subsection (11) to subsection (b) to read as follows:

"1141.02 USES.

(a) Permitted Uses.

(1) through (6)

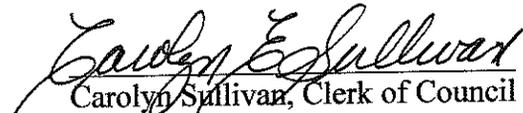
(b) Conditionally Permitted Uses. All uses set forth in this subsection shall be conditionally permitted uses in the C-1 District. The Planning and Zoning Commission may issue zoning certificates for uses consistent with the purpose of the District, subject to the requirements of this Zoning Code. A list of suggested uses follows:

**CERTIFICATION OF PUBLIC HEARINGS
PURSUANT TO SECTION 715.75 OF THE OHIO REVISED CODE**

State of Ohio)
) ss:
County of Summit)

On this 7th day of July, 2009, I Carolyn Sullivan as the Clerk of Council for the Village of Richfield, Ohio, hereby certify that a public hearing was held on 7/7/09 regarding the proposed Q.25-2009 in accordance with the requirement of Section 715.75 of the Revised Code. Notice of the public hearings was published in the Akron Beacon Journal, a newspaper of general circulation in Summit County, Ohio. The Affidavits of Publication for the newspaper notices are attached as Exhibit A.

I also certify that during the thirty-day period prior to the public hearing, all of the following documents were available for public inspection in the Office of the Clerk of Council for the Village of Richfield, Ohio: 1)


Carolyn Sullivan, Clerk of Council
Village of Richfield

NOTICE OF PUBLIC HEARING VILLAGE OF RICHFIELD

Ordinance
A public hearing has been scheduled for discussion of ~~Resolution~~ No. 25-2009 on Tuesday, July 7, 2009 at 7:45 p.m. in the Richfield Council Chambers, 4410 West Streetsboro Road.

Resolution 25-2009 proposes that Section 1163.02 of the Planning and Zoning Code be amended to permit assisted living facilities as a conditionally permitted use in C-1 Local Commercial Districts.

Any person interested will be afforded an opportunity to be heard.

Carolyn Sullivan
Clerk of Council