

Definitions:

Residential Facility: Defined as either:

ORC 5123.19(A)(5)(a) (“...a home or facility, including an ICF/IID, in which **an individual** with mental retardation or a developmental disability resides...”);

ORC 5119.34(A)(9)(a) (“Accommodations, supervision, personal care services, and community mental health services for **one or more** unrelated adults with mental illness or severe mental disabilities or to one or more unrelated children and adolescents with a serious emotional disturbance or ... in need of mental health services...”);

ORC 5119.22(A)(9)(b) (“Accommodations, supervision, and personal care services to any of the following

- (i) One or two unrelated persons with mental disabilities...;
- (ii) One or two unrelated adults who are receiving residential state supplement payments...;
- (iii) Three to sixteen unrelated adults”);

ORC 5119.22(A)(9)(c) (“[r]oom and board for five or more unrelated adults with mental illness...who are referred by or are receiving community mental health services from a community mental health agency, hospital, or practitioner.”).

ORC 5123.19(O) - Any person may operate a licensed residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least six but not more than eight persons with mental retardation or a developmental disability as a permitted use in any residential district or zone, including any single-family residential district or zone, of any political subdivision. These residential facilities may be required to comply with area, height, yard, and architectural compatibility requirements that are uniformly imposed upon all single-family residences within the district or zone.

ORC 5123.19(P) - Any person may operate a licensed residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine but not more than sixteen persons with mental retardation or a developmental disability as a permitted use in any multiple-family residential district or zone of any political subdivision, except that a political subdivision that has enacted a zoning ordinance or resolution establishing planned unit development districts may exclude these residential facilities from those districts, and a political subdivision that has enacted a zoning ordinance or resolution may regulate these residential facilities in multiple-family residential districts or zones as a conditionally permitted use or special exception, in either case, under reasonable and specific standards and conditions set out in the zoning ordinance or resolution to:

- (1) Require the architectural design and site layout of the residential facility and the location, nature, and height of any walls, screens, and fences to be compatible with adjoining land uses and the residential character of the neighborhood;
- (2) Require compliance with yard, parking, and sign regulation;
- (3) Limit excessive concentration of these residential facilities.

<i>Previous Language</i>	<i>Adult Care Fac. 5119.70 (A) (9) (General term)</i>		<i>Adult Family Home 5119.70 (A) (7) 3-5 unrelated 3 need treatment</i>	<i>Adult Group Home 5119.70 (A) (8) 6-16 unrelated, 3 need treatment</i>	<i>Residential Facilities 5123.19 (A)(1)(a) 5123.19(O) is 6-8 residents (MRDD)</i>	<i>Residential Facilities 5123.19 (A)(1)(a) 5123.19(P) is 9-16 residents</i>
	<i>permitted use in any residential district with 1-mile spacing between property lines</i>		<i>prohibited in every district except conditionally approved in multi-family districts</i>	<i>prohibited in every district except conditionally approved in multi-family districts</i>	<i>permitted in any residential district</i>	<i>permitted only in Multi-Family Districts</i>
<i>New Language (Sept 2013)</i>	<i>Residential Facility 5123.19(A)(5)(a) And 5119.34(A)(9)(a) One or more General terms</i>	<i>5119.34(A)(9)(b)(i) 1 or 2 unrelated persons referred or receiving services</i>	<i>5119.34(A)(9)(b)(ii) 1 or 2 unrelated persons receiving state supplement</i>	<i>5119.34(A)(9)(b)(iii) 3 to 16 unrelated adults</i>	<i>5123.19(O) is 6-8</i>	<i>5123.19(P) is 9-16</i>
	<i>Reference both any time you're referencing another definition</i>	<i>permitted in any residential district</i>	<i>permitted in any residential district</i>	<i>Conditional in multi-family districts</i>	<i>permitted in any residential district</i>	<i>permitted only in multi-family Districts and restrict from Planned Dists.</i>

Recommended language (specific to Liberty)

Permitted uses in EVERY residential district

Residential Facilities in accordance with ORC 5123.19(A)(5)(a), 5119.34(A)(9)(a), 5119.34(A)(9)(b)(i and ii), and 5123.19(O).

FR-1, PRD, PMF, PERD, PCD

Permitted uses in Multi-Family district

(may be excluded from Planned districts, so if there is a "straight" MF district, put it there and exclude from Planned - if there is ONLY a Planned MF district, put it there.)

Residential Facilities in accordance with ORC 5123.19(A)(5)(a), 5119.34(A)(9)(a), 5119.34(A)(9)(b)(i and ii), and 5123.19(O and P).

Neighborhood Apt.

Conditional uses in Multi-Family districts

(Put in PRD if that is the only residential district with multi-family, otherwise, not)

Residential Facilities in accordance with ORC 5119.34(A)(9)(b)(iii).

Neighborhood Apt, PMF, PERD, (Deleted previous reference in PRD)