

AN ORDINANCE AMENDING SUBSECTION (d)(2) OF SECTION 1205.09 OF THE LAND DEVELOPMENT CODE TO PERMIT THE PRINCIPAL PERMITTED USES IN ZONING DISTRICT 6 OF ASSISTED LIVING, CONTINUING CARE RETIREMENT COMMUNITY, AND INSTITUTIONAL RESIDENTIAL FOR THE ELDERLY AND HANDICAPPED TO BE LOCATED ON LOTS FRONTING ON AND/OR NORTH OF BOSTON MILLS ROAD IN DISTRICT 6.

WHEREAS, the uses of assisted living, continuing care retirement community, and institutional residential for the elderly and handicapped are permitted principal uses in Zoning District 6, but under existing subsection (d)(2) of Section 1205.09, "Special Conditions for Permitted Uses in District 6," of the Land Development Code, these permitted uses cannot be located north of Boston Mills Road in District 6; and

WHEREAS, it is the recommendation of the Community Development Director that subsection (d)(2) of Section 1205.09, "Special Conditions for Permitted Uses in District 6," of the Land Development Code be amended to permit the permitted principal uses of assisted living, continuing care retirement community and institutional residential for the elderly and handicapped to also be located north of Boston Mills Road in District 6; and

WHEREAS, this Council has introduced the within Ordinance and referred it to the Planning Commission pursuant to its obligation under Land Development Code Section 1203.03 to follow said procedure; and

WHEREAS, the Planning Commission held a public hearing at its regularly scheduled meeting on April 13, 2015 and recommended that the restrictions in subsection (d)(2) of Section 1205.09, including the amendments set forth in this Ordinance, also be applied to lots and parcels fronting on Boston Mills Road so as to include the three parcels in District 6 fronting Boston Mills Road and adjacent to the Reserve at River Oaks subdivision.

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1: Subsection (d)(2) of Section 1205.09, "Special Conditions for Permitted Uses in District 6," of the City's Land Development Code is amended to read as follows:

CHAPTER 1205
ZONING DISTRICTS

1205.09 DISTRICT 6: WESTERN HUDSON GATEWAY

(d) Special Conditions for Permitted Uses in District 6

- (2) Only office, office business park, day care center, medical clinic, ~~or~~ research laboratory uses, assisted living, continuing care retirement community, or institutional residential for the elderly and handicapped (for 9 or more people) shall be permitted as the principal use of each building on parcels or lots fronting on and/or located north of Boston Mills Road.

Section 2: Subsection (d)(2) of Section 1205.09, “Special Conditions for Permitted Uses in District 6,” of the Land Development Code of the City’s Land Development Code as it existed prior to the effective date of this Ordinance is hereby repealed.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

William A. Currin, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on _____, 2015.

Elizabeth Slagle, Clerk of Council

First Reading: March 17, 2015