

CHAPTER 1158
Residential Facilities

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CROSS REFERENCES: Residential Facility - see Ohio R.C. 5119 and 5123, et seq.

1158.01 RESIDENTIAL FACILITY DEFINED.

"Residential Facility" means a publicly or privately operated home or facility, licensed pursuant to Chapter 5119 of the Ohio Revised Code, that provides either accommodations, supervision, personal care services and mental health services to any of the following: (a) one or more unrelated adults with mental illness or one or more unrelated children or adolescents with severe emotional disturbances; (b) one (1) or two (2) unrelated persons with mental illness; (c) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; (d) three (3) to sixteen (16) unrelated adults; or, (e) provide room and board for five or more unrelated adults with mental illness.

1158.02 ESTABLISHMENT; APPLICATIONS.

Any individual, group or agency intending to establish a Residential Facility shall file with the Building Commissioner ("Commissioner") an application, upon a form provided by the Commissioner and which shall include the following information:

- (a) The name, address, email address and phone number of the applicant.
- (b) The name, address, email address and phone number of the applicant's sponsoring group or agency.
- (c) The name, address, email address and phone number of the applicant's emergency contact.
- (d) The address of the Residential Facility.
- (e) The housing capacity of the Residential Facility.
- (f) The name, address, email address and phone number of the third-party agency providing supervision, personal care services and/or mental health services.
- (g) The name of the county, state or federal agency which is expected to issue the license, approval, or certification to the applicant to operate the Residential Facility, a copy of the application submitted to the State and/or Federal agency and, in the case of an individual, the name and address of the group or agency sponsoring, or the underwritten agreement or contract with, such individual.
- (h) Within 30 days of receipt submit a copy of the license, approval, or certification received by the applicant to operate the Residential Facility.
- (i) Submission of the Ohio Department of Commerce Residential/Institutional Occupancy Questionnaire and Certification.
- (k) The names, addresses email addresses and phone numbers of those persons who will be responsible for the physical maintenance of the Residential Facility.
- (l) An estimate of the number of automobiles to be used by residents and supervisors of the Residential Facility. The Residential Facility is required to meet all requirement of Chapter 1197 titled "Off-Street Parking and Loading Facilities."

1158.03 OPERATION OF A RESIDENTIAL FACILITY AS A PERMITTED USE/CONDITIONAL USE PERMIT

(a) Pursuant to Ohio R.C. 5119.341(A) any person may operate a Residential Facility providing accommodations and personal care services for one to five unrelated persons and licensed as a residential facility that meets the criteria specified in division (B)(1)(b) of section 5119.34 of the Revised Code as a permitted use in a single-family and two-family residential district.



(1) A Residential Facility is required to comply with all applicable City, County and State Building, Health and Fire Code requirements prior to occupancy as well as area, height, yard, and architectural compatibility requirements upon all single-family and two-family residences within the district as set forth in Chapters 1151 and 1153 of the Parma Municipal Code. (“Code”).

(b) Pursuant to Ohio R.C. 5119.341(B) any person may operate a Residential Facility providing accommodations and personal care services for six to sixteen persons and licensed as a Residential Facility that meets the criteria specified in division (B)(1)(b) of section 5119.34 of the Revised Code only as a conditionally permitted use in a multifamily district as provided for in Chapter 1126 of the Code.

(1) A Residential Facility is required to comply with all applicable City, County and State Building, Health and Fire Code requirements prior to occupancy as well as area, height, yard, and architectural compatibility requirements required of a multifamily district as set forth in Chapter 1159 of the Code.

(c) Pursuant to Ohio R.C. 5123.19(M) a 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 individuals with developmental disabilities may be operated as a permitted use in a single-family and two-family residential district.

(1) A Residential Facility that is operating under Ohio R.C. 5123.19(M) is required to comply with all applicable City, County and State Building, Health and Fire Code requirements prior to occupancy as well as area, height, yard, and architectural compatibility requirements upon all single-family and two-family residences within the district as set forth in Chapters 1153 and 1155 of the Code.

(d) Pursuant to Ohio R.C. 5123.19(N) a 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 individuals with developmental disabilities may be operated only as a conditionally permitted use in a multifamily district as provided for in Chapter 1126 of the Parma Code.

(1) A Residential Facility that is operating under Ohio R.C. 5123.19(N) is required to comply with all applicable City, County and State Building, Health and Fire Code requirements prior to occupancy as well as area, height, yard, and architectural compatibility requirements upon a multifamily district as set forth in Chapter 1159 of the Code including:

(A) 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.

(B) Compliance with yard, parking, and sign regulation.

(e) The occupancy limits of each Residential Facility shall be governed by Chapter 5119 of the Ohio Revised Code and comply with the City’s building and zoning requirements.

(f) Signs or other means of identification as a Residential Facility shall not be permitted. All other signs must comply with the requirements set forth in Chapter 1519 “Sign Regulations.”

1158.04 PROXIMITY LIMITATION ON A RESIDENTIAL FACILITY

No Residential Facility as defined under 1158.01(b), (c) and (d) or operated under 1158.03(d) shall be located within 1,000 feet of another Residential Facility. The separation distance is to be measured from property line to property line by the shortest distance.

1158.05 CHANGE OF USE.

Occupancy as a Residential Facility shall not be considered a change of use in a building which has been used for residential purposes immediately prior to use as a Residential Facility.

1158.06 APPLICATION OF CHAPTER.

The requirements of this chapter are applicable to all Residential Facilities, regardless of whether their existence pre-dates the enactment of this chapter.