

RECORD OF ORDINANCES

Ordinance No. 3815

Passed: November 11, 2025

AN ORDINANCE ADOPTING AMENDMENTS TO CHAPTER 154 OF THE CODE OF ORDINANCES OF WEST CARROLLTON, THE ZONING CODE, TO UPDATE THE CITY'S GROUP HOME REGULATIONS.

WHEREAS, an application has been filed by the City of West Carrollton proposing text amendments to Chapter 154 of the Code of Ordinances of the City of West Carrollton, the Zoning Code, to update the city's group home regulations to be consistent with state and federal law; and

WHEREAS, a public meeting was held regarding this matter on September 18, 2025, by the West Carrollton Planning Commission which unanimously recommends approval of the proposed amendments; and

WHEREAS, notification of a public hearing before the City Council regarding this matter was properly advertised in a newspaper of general circulation on September 25, 2025, in accordance with Section 154.08.01(D)(1) of the Zoning Code; and

WHEREAS, the proposal and meeting notice was posted on the City's website; and

WHEREAS, a public hearing was held by the West Carrollton City Council on October 28, 2025, at which time all people who wished to testify gave their comments; and

WHEREAS, Sections 154.05.05(C) of the West Carrollton Zoning Code specifies circumstances which justify amending the Zoning Code; and

WHEREAS, the City of West Carrollton has determined that adoption of the proposed amendments is in the best interest of the citizens of West Carrollton to preserve and enhance property values and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, COUNTY OF MONTGOMERY, STATE OF OHIO:

SECTION I. That the City Council makes the following findings of fact with respect to the proposed Zoning Code text amendment pursuant to case T-25-1, said findings of fact based upon criteria found within Section 154.05.05(C) of the Zoning Code:

- a) The City's current regulations regarding group homes is not consistent with current federal and state law, and therefore needs to be updated.
- b) The proposed amendments can be justified on the grounds that the change is in conformance with the Comprehensive Plan of the city. The proposed amendments to the Zoning Code support the goal of the *2009 West Carrollton Sustainable Comprehensive Plan* to create additional flexibility in zoning code regulations, to

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create a diversity of housing to match residents' life stages and income levels, to provide a diverse mix of housing types, and to provide housing opportunities for older residents.

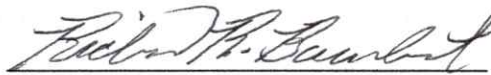
- c) The proposed amendments can be justified on the grounds of substantial or significant change in area conditions. The federal and state legislative landscape regarding group homes has evolved since the city's group home regulations were implemented. In addition, the city has recently seen more interest in group housing projects, and as such its group home regulations must be up to date.
- d) The existing Zoning Code is "in error" in that it is not consistent with current federal and state law.

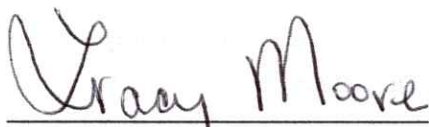
SECTION II. That Chapter 154 of the Code of Ordinances of the City of West Carrollton, the Zoning Code, be and hereby is amended to read as indicated in Exhibit A, attached hereto, updating the city's group home regulations.

SECTION III. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION IV. That this Ordinance shall take effect from and after the earliest period allowed by law.

Passed: November 11, 2025


Mayor

Attest: 
Clerk of Council

Effective Date: December 11, 2025

EXHIBIT A

ORDINANCE 3815

CHAPTER 154: ZONING CODE

Key:

Bold and underlined = text proposed to be added

~~Strikethrough~~ = text proposed to be deleted

..... = text omitted (no changes proposed)

GLOSSARY

§ 154.02.01 DEFINITIONS.

For the purpose of this chapter the following words and phrases shall have the following meanings ascribed to them respectively. Those items not herein specifically defined shall be given their common ordinary meaning whenever it is appropriate or reasonable to do so.

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DAY CARE FACILITY, ADULT. A non-residential facility, licensed by the state, providing care or supervision for the elderly, ~~and/or functionally impaired~~ **infirm or disabled** adults in a protective setting for a portion of a 24-hour day. Services include the monitoring of clients; social and recreation services, food and nourishment, and health support services. The operation of the facility shall not include overnight occupancy by the clients. Adult day care may be operated within structures on church premises or publicly owned community centers; provided such uses are lawfully permitted and operating in the underlying zoning district.

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FAMILY. One or more persons related by blood, marriage, adoption, or legal guardianship residing in and maintaining a common household as their permanent residence, **or a group of unrelated persons living together and maintaining a common household as their permanent residence** as distinguished from a group occupying a rooming house, motel or hotel, or fraternity or sorority house. A "family" shall also include a functional family, as defined herein. To protect the public health, safety, and welfare, the maximum occupancy of any residential unit shall be determined by the West Carrollton Property Maintenance Code, the West Carrollton Fire Prevention Code, and the Ohio Building Code. **A family does not include any society; club; boarding or lodging house; fraternity; sorority; or group of individuals whose association is seasonal, temporary or similar in nature to a resort, motel, hotel, boarding or lodging house, nor that is institutional in nature.**

FAMILY, FUNCTIONAL. One or more persons who are not related by blood or marriage with a demonstrable and recognizable bond characteristic of a cohesive unit, residing in and maintaining a common household as their permanent residence. This bond typically involves the function of child-rearing (whether natural or foster) or group living arrangements for the disabled, elderly persons over 60 years of age, or mentally/developmentally disabled persons. To protect the public health, safety, and welfare, the maximum occupancy of any residential unit shall be determined by the West Carrollton Property Maintenance Code, the West Carrollton Fire Prevention Code, and the Ohio Building Code.

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FOSTER HOME. As defined in R.C. 5103.02(D), a private residence in which children are received apart from their parents, guardian, or legal custodian, by an individual reimbursed for providing the children nonsecure care, supervision, or training twenty-four hours a day. "Foster Home" does not include care provided for a child in the home of a person other than the child's parent, guardian, or legal custodian while the parent, guardian, or legal custodian is temporarily away. Family foster homes and specialized foster homes are types of foster homes. All terms herein are as defined by said statute. This definition shall be deemed amended as said statutes are hereinafter amended.

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~~GROUP HOME — ADULT CARE FACILITY.~~ An Adult Care Facility can be either an Adult Family Home or an Adult Group Home as separately defined. An Adult Care Facility is a residence, facility, institution, hotel, or congregate housing project, providing accommodations and supervision to three to sixteen unrelated adults, at least three of whom are provided personal care services, regardless of how the facility holds itself out to the public. An Adult Care Facility does not include:

- ~~—(1) A facility operated by a hospice care program.~~
- ~~—(2) A nursing home, rest home, or home for the aging.~~
- ~~—(3) A community alternative home.~~
- ~~—(4) An alcohol and drug addiction program.~~
- ~~—(5) A habilitation center.~~
- ~~—(6) A licensed residential facility for the mentally ill.~~
- ~~—(7) A licensed methadone treatment facility.~~
- ~~—(8) A residential facility regulated/licensed under the Department of Mental Retardation and Developmental Disabilities.~~
- ~~—(9) A facility that provides personal care services to fewer than three residents or that provides, for any number of residents, only housing, housekeeping, laundry, meal preparation, social or recreational activities, maintenance, security, transportation, and similar services that are not personal care services or skilled nursing care.~~
- ~~—(10) Any facility that receives funding for operating costs from the Department of Development to provide emergency shelter housing or transitional housing for the homeless.~~
- ~~—(11) A terminal care facility for the homeless that has entered into agreement with a hospice care program.~~
- ~~—(12) A facility approved by the Veterans administration.~~
- ~~—(13) An assisted living facility.~~

~~GROUP HOME — ADULT FAMILY HOME.~~ An adult family home is an adult care facility that provides accommodations to three to five unrelated adults and supervision and personal care services to at least three of those adults. Adult family homes are licensed in accordance with ORC Chapter 3722.

~~GROUP HOME — ADULT GROUP HOME.~~ An adult group home is an adult care facility that provides accommodations to 6 to 16 unrelated adults, and provides supervision and personal care

services to at least three of the unrelated adults. Adult group homes are licensed in accordance with ~~ORC Chapter 3722.~~

~~GROUP HOME — COMMUNITY ALTERNATIVE HOME.~~ A community alternative home is a residence or facility that provides accommodations, personal assistance, and supervision for three to five unrelated individuals who have immunodeficiency syndrome or a condition related to Acquired Immunodeficiency Syndrome (AIDS). A community alternative homes does not include nursing homes, rest homes, or homes for the aging, adult foster care facilities, hospice care facilities, or an assisted living facility.

~~GROUP HOME — CONGREGATE HOUSING.~~ A residential facility for four or more elderly persons within which are provided living and sleeping facilities, meal preparation, laundry services, and room cleaning. Such facilities may also provide other services, such as transportation for routine social and medical appointments, and counseling.

~~GROUP HOME — FOSTER CARE FACILITY/CERTIFIED FAMILY FOSTER HOME.~~ A foster care facility, or foster home, is a family home in which any child is received apart from his or her parents for care, supervision, or training. (Based on ORC 2151.01). A certified family foster home is foster home operated by persons holding a certificate in force, issued under Section 5103.03 of the Revised Code. (Based on ORC 2151.01).

~~GROUP HOME — HOME FOR THE AGING.~~ A home that provides accommodations, supervision, and personal care services or accommodations, supervision, personal care services, administration of medication, and supervision of special diets for three or more unrelated individuals who are dependent on the services of others by reason of age and physical or mental impairment, and personal care services and skilled nursing care for three or more unrelated individuals.

~~GROUP HOME — HOUSING FOR THE ELDERLY.~~ A building or group of buildings containing dwellings where the occupancy of the dwelling is restricted to persons sixty (60) years of age or older or couples where either the husband or wife is sixty (60) years of age or older. This does not include a development that contains convalescent or nursing facilities.

~~GROUP HOME — LIFE CARE FACILITY.~~ A facility for the transitional residency of elderly and/or disabled persons, progressing from independent living in single family units to congregate apartment living where residents share common meals, culminating in a full health and continuing care nursing home facility.

~~GROUP HOME — MR-DD FAMILY CARE FACILITY.~~ A facility which provides residential service in a residence for three to eight individuals, exclusive of staff, who are not related to the resident householder. These individuals are physically or mentally handicapped, disabled, or in need of adult supervision, and are provided 24-hour services and supervision in accordance with their needs, under the guidance of an individual or individuals approved by the appropriate public or private health/welfare agency. This does not include nursing homes, rest homes, or hospitals, but does include the following:

- ~~—(1) Facilities for children or adolescents who have been adjudged delinquent or have social or emotional problems.~~
- ~~—(2) Rehabilitation centers for adolescents or adults who have been institutionalized and released, or who have or have had mental, physical, or social disabilities which require a group setting to facilitate the transition to a functional member of society.~~
- ~~—(3) Resident facilities for mentally retarded, mentally ill, or physically handicapped children or adults.~~

GROUP HOME — MR DD GROUP CARE FACILITY. A facility which provides residential service in a residence for nine to 16 individuals exclusive of staff, who are not related to the resident householder. These individuals are physically or mentally handicapped, disabled, in need of adult supervision, and are provided 24-hour services and supervision in accordance with their needs, under the guidance of an individual or individuals approved by the appropriate public or private health/welfare agency. This does not include nursing homes, rest homes, or hospitals, but does include the following.

- ~~—(1) Facilities for children or adolescents who have been adjudged delinquent or have social or emotional problems.~~
- ~~—(2) Rehabilitation centers for adolescents or adults who have been institutionalized and released, or who have had mental, physical, or social disabilities which require a group setting to facilitate the transition to a functional member of society.~~
- ~~—(3) Resident facilities for mentally retarded, mentally ill, or physically handicapped children or adults.~~

GROUP HOME — REST HOME. A home that provides either of the following:

- ~~—(1) Accommodations for 17 or more unrelated individuals, and supervision and personal care services for three or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment; or in the case of a rest home component of a home for the aging, accommodations to three or more individuals and supervision and personal care services for at least three of those individuals.~~
- ~~—(2) Accommodations for three or more unrelated individuals, supervision and personal care services for at least three of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, and supervision of special diets and of the administration of medication to at least one of those individuals.~~

GROUP HOME — NURSING HOME. A home used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care or individuals who require personal care services, but not skilled nursing care. A nursing home is licensed to provide personal care services and skilled care services.

GROUP HOME – NURSING HOME, ASSISTED LIVING FACILITIES, or CONVALESCENT HOME. A facility used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care as defined in R.C. Chapter 3721, or a facility for individuals who require personal care services but no skilled nursing care.

GROUP HOME – RECOVERY HOUSE. As defined in R.C. 5119.01 and R.C. Chapter 340, is housing for individuals recovering from alcohol use disorder or drug addiction that provides an alcohol-free and drug-free living environment, peer support, assistance with obtaining alcohol and drug addiction services, and other recovery assistance for alcohol use disorder and drug addiction. Recovery Houses must be licensed by the applicable state, county, or local agency.

GROUP HOME – TRANSITIONAL. A publicly or privately operated home or facility for temporary residential living in which up to sixteen related or unrelated individuals with disabilities reside within a dwelling unit. Residents of a Transitional Group Home occupy the facility for a limited tenancy of less than one year. The objective is to provide a temporary residence as tenants move from more institutionalized settings to durable residential living arrangements. Group Home - Transitional must be licensed by the applicable state, county, or local agency.

HALFWAY HOUSE. A facility designed for the supervision, rehabilitation, and reintegration of offenders or formerly incarcerated persons into society, with oversight and/or licensing from the Ohio Department of Rehabilitation and Correction, the Adult Parole Authority, the Ohio Department of Health or a similar agency.

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RESIDENTIAL HOME (SMALL). A publicly or privately operated home, that may be operated by person(s) other than the residents themselves, in which one (1) to five (5) related or unrelated individuals with disabilities reside within a dwelling unit. Residents occupy the home for an indefinite period of time. The objective of a Residential Home (Small) is to approximate a single-family residential setting integrated into the surrounding community. A Residential Home (Small) must be licensed by the applicable state, county, or local agency. A Residential Home (Small) shall not include: (1) a Recovery House as defined within this Section 154.02.01; (2) an opioid treatment program as defined in 42 C.F.R.8.2 and regulated in R.C. 5119.37.

RESIDENTIAL GROUP HOME (MEDIUM). A publicly or privately operated home or facility, that may be operated by person(s) other than the residents themselves, in which six (6) to ten (10) related or unrelated individuals with disabilities reside within a dwelling unit. Residents occupy the home or facility for an indefinite period of time. A Residential Group Home (Medium) must be licensed by the applicable state, county, or local agency. A Residential Group Home (Medium) shall not include: (1) a Recovery House as defined within this Section 154.02.01; (2) an opioid treatment program as defined in 42 C.F.R.8.2 and regulated in R.C. 5119.37.

RESIDENTIAL GROUP HOME (LARGE). A publicly or privately operated home or facility, that may be operated by person(s) other than the residents themselves, in which eleven (11) to sixteen (16) related or unrelated individuals with disabilities reside within a dwelling unit. Residents occupy the home or facility for an indefinite period of time. A Residential Group Home (Large) must be licensed by the applicable state, county, or local

agency. A Residential Group Home (Large) shall not include: (1) a Recovery House as defined within this Section 154.02.01; (2) an opioid treatment program as defined in 42 C.F.R.8.2 and regulated in R.C. 5119.37.

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RE RESIDENTIAL ESTATE DISTRICT

§ 154.10.022 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Day care facility – Type B family day care home.
- (D) Dwelling – Single-family, detached
- (E) Foster Home**
- ~~– (E) Group home – Adult family home.~~
- ~~– (F) Group home – Community alternative home.~~
- ~~– (G) Group home – Foster care facility/Certified family foster home.~~
- ~~– (H) Group home – MR/DD family care facility.~~
- ~~– (I) (F) Home occupations subject to the conditions of § 154.16.03.~~
- ~~– (J) (G) Parking, On-site.~~
- ~~– (K) (H) Parkland – Community parkland and public open space.~~
- (I) Residential Home (Small)**
- ~~– (L) (J) Subdivision, Conventional residential.~~

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R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

§ 154.10.042 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Day care facility – Type B family day care home.
- (D) Dwelling – Single-family, detached.
- (E) Foster Home**
- ~~– (E) Group home – Adult family home.~~
- ~~– (F) Group home – Community alternative home.~~
- ~~– (G) Group home – Foster care facility/Certified family foster home.~~
- ~~– (H) Group home – MR/DD family care facility.~~
- ~~– (I) (F) Home occupations subject to the conditions of § 154.16.03.~~
- ~~– (J) (G) Parking, On-site.~~
- ~~– (K) (H) Parkland – Community parkland and public open space.~~
- (I) Residential Home (Small)**
- ~~– (L) (J) Subdivision, Conventional residential.~~

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R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT

§ 154.10.062 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Day care facility – Type B family day care home.
- (D) Dwelling – Single-family, detached.
- (E) Foster Home**
- ~~(E) Group home – Adult family home.~~
- ~~(F) Group home – Community alternative home.~~
- ~~(G) Group home – Foster care facility/Certified family foster home.~~
- ~~(H) Group home – MR/DD family care facility.~~
- ~~(I) (F) Home occupations subject to the conditions of § 154.16.03.~~
- ~~(J) (G) Parking, On-site.~~
- ~~(K) (H) Parkland – Community parkland and public open space.~~
- (I) Residential Home (Small)**
- ~~(L) (J) Subdivision, Conventional residential.~~

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R-4 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

§ 154.10.082 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Day care facility – Type B family day care home.
- (D) Dwelling – Multiple-family.
- (E) Dwelling – Row.
- (F) Dwelling – Single-family, detached.
- (G) Dwelling – Two-family.
- (E) Foster Home**
- ~~(H) Group home – Adult family home.~~
- ~~(I) Group home – Community alternative home.~~
- ~~(J) Group home – Foster care facility/Certified family foster home.~~
- ~~(K) Group home – MR/DD family care facility.~~
- ~~(L) (F) Home occupations subject to the conditions of § 154.16.03.~~
- ~~(M) (G) Parking, On-site.~~
- ~~(N) (H) Parkland – Community parkland and public open space.~~
- (I) Residential Home (Small)**
- (J) Residential Group Home (Medium)**
- ~~(O) (K) Subdivision, Conventional residential.~~

§ 154.10.083 CONDITIONALLY PERMITTED USES.

Subject to general conditions and supplemental requirements in this Chapter.

- (A) Cemeteries.
- (B) Churches and other similar places of religious worship.

- (C) Day care facility – Child day care center.
- (D) Day care facility – Type A family day care home.
- (E) Dwelling – Single-family, zero-lot line.
- ~~(F) Group home – Adult group home.~~
- ~~(G) Group home – Congregate housing.~~
- ~~(H) Group home – Home for the aging.~~
- ~~(I) Group home – Life care facility.~~
- ~~(J) Group home – MR/DD group care facility.~~
- ~~(K) Group home – Nursing home.~~
- ~~(L) Group home – Nursing homes for convalescent patients.~~
- ~~(M) Group home – Rest home.~~
- ~~(N) **(F)** Lodging – Bed and breakfast establishment.~~
- ~~(O) **(G)** Public utility substation and transmission facilities.~~
- ~~(P) **(H)** Recreation – Golf course.~~
- ~~(Q) **(I)** Recreation – Private, noncommercial areas and facilities.~~
- (J) Residential Group Home (Large)**
- ~~(R) **(K)** School – Nursery school.~~
- ~~(S) **(L)** School – Private school/Primary school/Intermediate school/Secondary school.~~
- ~~(T) **(M)** Subdivision, Cluster residential.~~
- ~~(U) **(N)** Wireless telecommunications facility.~~

R-5 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

§ 154.10.102 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Day care facility – Type B family day care home.
- (D) Dwelling – Multiple-family.
- (E) Dwelling – Row.
- (F) Dwelling – Single-family, detached.
- (G) Dwelling – Two-family.
- (H) Foster Home**
- ~~(I) Group home – Adult family home.~~
- ~~(J) Group home – Community alternative home.~~
- ~~(K) Group home – Foster care facility/Certified family foster home.~~
- ~~(L) Group home – MR/DD family care facility.~~
- ~~(M) **(J)** Home occupations subject to the conditions of § 154.16.03.~~
- ~~(N) **(K)** Parking, On-site.~~
- ~~(O) **(L)** Parkland – Community parkland and public open space.~~
- (M) Residential Home (Small)**
- ~~(P) **(N)** Subdivision, Conventional residential.~~

§ 154.10.103 CONDITIONALLY PERMITTED USES.

Subject to general conditions and supplemental requirements in this Chapter.

- (A) Churches and other similar places of religious worship.
- (B) Day care facility – Child day care center.

- (C) Day care facility – Type A family day care home.
- (D) Dwelling – Single-family, zero-lot line.
- (E) Dwelling – Two-family.
- ~~(F) Group home – Adult group home.~~
- ~~(G) Group home – Congregate housing.~~
- ~~(H) Group home – Home for the aging.~~
- ~~(I) Group home – Life care facility.~~
- ~~(J) Group home – MR/DD group care facility.~~
- ~~(K) Group home – Nursing home.~~
- ~~(L) Group home – Nursing homes for convalescent patients.~~
- ~~(M) Group home – Rest home.~~
- (F) Group Home – Nursing Home, Assisted Living facilities, or Convalescent Home**
- (G) Group Home – Transitional**
- (H) Group Home – Recovery House**
- ~~(N) (I) Lodging – Bed and breakfast establishment.~~
- ~~(O) (J) Public utility substation and transmission facilities.~~
- ~~(P) (K) Recreation – Golf course.~~
- ~~(Q) (L) Recreation – Private, noncommercial areas and facilities.~~
- ~~(R) (M) School – Nursery school.~~
- ~~(S) (N) School – Private school/Primary school/Intermediate school/Secondary school.~~
- ~~(T) (O) Subdivision, Cluster residential.~~
- ~~(U) (P) Wireless telecommunications facility.~~

R-PUD RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

§ 154.10.122 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Churches and other similar places of religious worship.
- (D) Day care facility – Type B family day care home.
- (E) Dwelling – Multiple-family.
- (F) Dwelling – Row.
- (G) Dwelling – Single-family, detached.
- (H) Dwelling – Single-family, zero-lot line.
- (I) Dwelling – Two-family.
- ~~(J) Group home – Adult family home.~~
- ~~(K) Group home – Adult group home.~~
- ~~(L) Group home – Community alternative home.~~
- ~~(M) Group home – Congregate housing.~~
- ~~(N) Group home – Foster care facility/Certified family foster home.~~
- ~~(O) Group home – MR/DD family care facility.~~
- ~~(P) Group home – MR/DD group care facility.~~
- ~~(Q) (J) Home occupations subject to the conditions of § 154.16.03.~~
- ~~(R) (K) Lodging – Bed and breakfast establishment.~~
- ~~(S) (L) Parking, On-site.~~
- ~~(T) (M) Parkland – Community parkland and public open space.~~

- ~~—(U) (N) Recreation – Golf course.~~
- ~~—(V) (O) Recreation – Private, noncommercial areas and facilities.~~
- ~~—(W) (P) School – Nursery school.~~
- ~~—(X) (Q) School – Private school/Primary school/Intermediate school/Secondary school.~~
- ~~—(Y) (R) Subdivision, Cluster residential.~~
- ~~—(Z) (S) Subdivision, Conventional residential.~~

§ 154.10.123 CONDITIONALLY PERMITTED USES.

Subject to general conditions and supplemental requirements in this Chapter.

- ~~—(A) Group home—Home for the aging.~~
- ~~—(B) Group home—Life care facility.~~
- ~~—(C) Group home—Nursing home.~~
- ~~—(D) Group home—Nursing homes for convalescent patients.~~
- ~~—(E) Group home—Rest home.~~
- ~~—(F) (A) Group Home – Nursing Home, Assisted Living facilities, or Convalescent Home~~
- ~~—(G) (B) Public utility substation and transmission facilities.~~
- ~~—(C) Wireless telecommunications facility.~~

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O-R OFFICE RESIDENTIAL DISTRICT

§ 154.10.302 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Churches and other similar places of religious worship.
- (D) Day care facility – Child day care center.
- (E) Day care facility – Type B family day care home.
- (F) Dwelling – Row.
- (G) Dwelling – Single-family, detached.
- (H) Dwelling – Single-family, zero-lot line.
- (I) Dwelling – Two-family.
- ~~—(J) Group home—Adult family home.~~
- ~~—(K) Group home—Foster care facility/Certified family foster home.~~
- ~~—(L) (J) Financial institution without drive-in.~~
- ~~—(M) (K) Funeral homes and mortuaries.~~
- ~~—(N) (L) Home occupations subject to the conditions of § 154.16.03.~~
- ~~—(O) (M) Office – Professional office/Business office.~~
- ~~—(P) (N) Parking, On-site.~~
- ~~—(Q) (O) Parkland – Community parkland and public open space.~~
- (P) Residential Home (Small)**
- ~~—(R) (Q) School – Nursery school.~~
- ~~—(S) (R) Studio – Instructional studio/Commercial studio.~~
- ~~—(T) (S) Subdivision, Conventional residential.~~

§ 154.10.303 CONDITIONALLY PERMITTED USES.

Subject to general conditions and supplemental requirements in this Chapter.

- ~~—(A) Group home — Adult group home.~~
- ~~—(B) Group home — Community alternative home.~~
- ~~—(C) Group home — Congregate housing.~~
- ~~—(D) Group home — Home for the aging.~~
- ~~—(E) Group home — Life care facility.~~
- ~~—(F) Group home — MR/DD family care facility.~~
- ~~—(G) Group home — MR/DD group care facility.~~
- ~~—(H) Group home — Nursing home.~~
- ~~—(I) Group home — Nursing homes for convalescent patients.~~
- ~~—(J) Group home — Rest home.~~
- ~~—(K) (A) Group Home – Nursing Home, Assisted Living facilities, or Convalescent Home~~
 - (B) Lodging – Bed and breakfast establishment.
- ~~—(L) (B) Parking, Commercial.~~
- ~~—(M) (C) Parking, Shared.~~
- ~~—(N) (D) Public utility substation and transmission facilities.~~
- ~~—(O) (E) Subdivision, Cluster residential.~~
- ~~—(P) (F) Wireless telecommunications facility.~~

O OFFICE DISTRICT

§ 154.10.352 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Churches and other similar places of religious worship.
- (D) Day care facility – Child day care center.
- (E) Financial institution without drive-in.
- (F) Funeral homes and mortuaries.
- (G) Office – Professional office/Business office.
- (H) Parking, On-site.
- (I) Parkland – Community parkland and public open space.
- (J) School – Business trades and technical schools
- (K) School – Nursery school.
- (L) School – Private school/Primary school/Intermediate school/Secondary school.
- (M) Studio – Instructional studio/Commercial studio.
- (N) Mobile food vendors as provided in Section 154.16.11. (Ord. 3475. Passed 4-12-11.)

§ 154.10.353 CONDITIONALLY PERMITTED USES.

Subject to general conditions and supplemental requirements in this Chapter.

- ~~—(A) Group home — Nursing home.~~
- ~~—(B) (A) Financial institution with drive-in.~~
- ~~—(C) (B) Fraternal lodges and private clubs.~~
- ~~—(C) Group Home – Nursing Home, Assisted Living facilities, or Convalescent Home~~
- (D) Hospitals/Urgent Care Centers.
- (E) Parking, Commercial.

- (F) Parking, Shared.
- (G) Public utility substation and transmission facilities.
- (H) Recreation – Golf course.
- (I) Wireless telecommunications facility.

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CC CITY CENTER DISTRICT

§ 154.10.471 CC CITY CENTER DISTRICT.

§ 154.10.473 USE REGULATIONS.

Principal and accessory buildings, structures or premises shall be used and buildings and structures shall be erected, altered or enlarged only for the uses listed below.

(A) Principal Permitted Uses.

- (1) Accessory buildings, structures and uses as regulated by Section 154.16.01.
- (2) Animal hospital or veterinary clinic with indoor kennels or no kennels.
- (3) Animal training school, domestic, indoor, so long as the applicant can demonstrate that animal waste will be accommodated to meet all requirements of the Montgomery County Health District and the City of West Carrollton Property Maintenance Code and Building Code.
- (4) Auction house, defined as a place where objects of art, furniture, and other goods and merchandise are offered for sale to persons who bid on the object in competition with each other, and that take place entirely within a building. Outdoor auctions, as well as auctions of livestock, motor vehicles, or items which are inconsistent with the purpose and objectives of the City Center District, are expressly prohibited.
- (5) Building and related trades, not involving any exterior storage areas.
- (6) Call center, defined as a company phone center that offers operator-supported voice services such as a help desk, customer support, lead generation, emergency response, telephone answering service, inbound response and outbound telemarketing.
- (7) Conference center, defined as a facility used for conferences and seminars, with accommodations for sleeping, food preparation and eating, recreation, entertainment, resource facilities, and meeting rooms. Conference centers shall not be utilized by the general public only for overnight purposes. This use shall not include institutions meeting the definition of "churches and other similar places of religious worship" as defined in Section 154.02.01, Definitions, and as prohibited in Section 154.10.473(B).
- (8) Day care facility - child care center.
- (9) Dwelling - above commercial structure.
- (10) Dwelling - attached, detached, zero lot line homes and other residential uses planned and designed along the "New Urbanism" principles of compact form and architectural significance, with the density to be determined by the Planning Commission. Such residential developments shall be in close adherence and conformance to the requirements of Section 154.10.476(D), of these regulations. Residential developments planned and designed along conventional subdivision standards shall not be permitted.
- (11) Financial institution with or without drive-up.
- (12) Fraternal lodges and private clubs.
- (13) Home occupations subject to the conditions of Section 154.16.03.

- (14) Home improvement centers, not involving any exterior storage areas.
 - (15) Hospitals/urgent care centers.
 - (16) Lodging - bed and breakfast establishments.
 - (17) Lodging - hotels and motels.
 - (18) Manufacturing - light manufacturing, only on the following properties: Carrollton Plaza, parcels K48 00509 0002 (1000 E. Central Avenue) and K48 00509 0037 (1100 E. Central Avenue); and the old Woody's warehouse, parcel K48 00111 0032 (61 Alexandersville-Bellbrook Road).
 - (19) Office - professional office/ business office.
 - (20) Parking, on-site.
 - (21) Parking, shared.
 - (22) Parkland - community parkland and public open space.
 - (23) Recreation - commercial recreation facilities.
 - (24) Recreation - community center/senior center.
 - (25) Recreation - health clubs with indoor facilities only/athletic training facilities.
 - (26) Recreation - health clubs with outdoor facilities.
 - (27) Recreation - river-related recreational uses such as boat livery, boat rentals, and other such similar nature uses.
 - (28) Recreation - theater.
 - (29) Restaurant - fast food restaurant with or without drive-up.
 - (30) Restaurant, sit-down.
 - (31) Retail - sales and services.
 - (32) School - business trade school/technical school.
 - (33) School - nursery school.
 - (34) Smoking establishment.
 - (35) Tavern.
 - (36) Warehousing - warehousing facility/wholesaling facility/distribution facility, only on the following properties: Carrollton Plaza, parcels K48 00509 0002 (1000 E. Central Avenue) and K48 00509 0037 (1100 E. Central Avenue); and the old Woody's warehouse, parcel K48 00111 0032 (61 Alexandersville-Bellbrook Road). This use shall not involve overnight parking of trucks, storage of materials that present hazards or offensive conditions, external storage of material, or other external nuisances such as dust, noise and odors.
 - (37) Mobile food vendors as provided in Section 154.16.11.
- (A.O.; Ord. 3475. Passed 4-12-11; Ord. 3567. Passed 8-25-15.)

(B) Prohibited Uses.

All uses not specifically listed as a permitted use in Section 154.10.473(A) are prohibited within this District, unless determined by the Planning Commission to be a Substantially Similar use to any use listed in Section 154.10.473(A) as provided by Section 154.05.04(B)(2) and Section 154.07.01(B)(3). The following uses are expressly prohibited within this District:

- (1) Animal hospital or veterinary clinic with outdoor kennels.
- (2) Animal kennels, outdoor.
- (3) Automobile - convenience drive-thru.
- (4) Automobile - convenience market/gas station mini-mart.
- (5) Automobile fueling station.
- (6) Automobile washing facility, full service.
- (7) Automobile washing facility, self service.

- (8) Automobile - service station/repair garage.
- (9) Automobile - painting and body shop.
- (10) Automotive wrecking yards.
- (11) Building and related trades, not meeting the requirements of Section 154.10.473(A)(4).
- (12) Building materials - contractor storage yard.
- (13) Building materials - sales and storage yards.
- (14) Churches and other similar places of religious worship.
- (15) Farming and agricultural production, and related farm uses.
- (16) Funeral homes and mortuaries.
- (17) Junk yards.
- (18) Lumber yards.
- (19) Manufacturing - heavy manufacturing.
- (20) Parking, commercial.
- (21) Recreation - theater, drive-in.
- (22) Resource and mineral extraction.
- (23) Retail - nursery/garden center.
- (24) Truck stop.
- (25) Vehicle sales and service - agricultural implements/marine equipment/manufactured homes/industrialized units/travel trailers/heavy trucks/recreational vehicles.
- (26) Vehicle sales and service, automobile and motorcycle.
- (27) Warehousing - mini warehouses/self- service storage facilities.
- (28) Warehousing - warehousing facility/wholesaling facility/distribution facility not meeting the requirements of Section 154.10.473(A)(35).
- (29) Any other uses which are not compatible with the purpose and objectives of these regulations as determined by the Planning Commission. (Ord. 3400. Passed 12-9-08.)
- (30) Group Home – Nursing Home, Assisted Living facilities, or Convalescent Home.**
- (31) Group Home – Recovery House.**
- (32) Group Home – Transitional.**
- (33) Halfway House.**
- (34) Residential Group Home (Medium).**
- (35) Residential Group Home (Large).**

H HERITAGE DISTRICT

§ 154.10.482 PRINCIPAL PERMITTED USES.

- (A) Accessory building and structures as regulated by § 154.16.01.
- (B) Accessory uses as regulated by § 154.16.01.
- (C) Day care facility - Type B family day care home.
- (D) Dwelling - Single-family, detached.
- (E) Foster Home**
- ~~—(E) Group home—Adult family home.~~
- ~~—(F) Group home—Community alternative home.~~
- ~~—(G) Group home—Foster care facility/Certified family foster home.~~
- ~~—(H) Group home—MR/DD family care facility.~~
- ~~—(I) (F) Home occupations subject to the conditions of § 154.16.03.~~
- ~~—(J) (G) Parking, On-site.~~

—(~~K~~) **(H)** Parkland - Community parkland and public open space.

(I) Residential Home (Small)

—(~~L~~) **(J)** Subdivision, Conventional residential.

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