

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

Article 39.02 Definitions

Compliance audit shall mean a systematic and independent examination of an organization’s operations, processes, and procedures to determine whether they align with applicable laws, regulations, internal policies, and industry standards. This process helps identify areas of non-compliance, enabling corrective actions to be taken promptly.

Family shelter shall mean a single-family dwelling that shelters a family who are persons related by blood, marriage or adoption, or no more than four individuals occupying a dwelling unit who are committed to living together as a single housekeeping unit, in harmony with the surrounding neighborhood, responsible for maintaining a common household.

Group facility shall mean a type of facility that shelters multiple people who are currently unhoused or at imminent risk of becoming unhoused. Group facilities are supervised at all hours that the residents are present.

Supportive housing - these include, but are not limited to, a combination of subsidized permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy.

Transient resident means one who temporarily resides for generally less than 30 days or seasonally for less than three months during any 12-month period.

Transitional housing is generally described as a type of supportive housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living.

Unhoused person shall mean an individual who, or family which, lacks a fixed, regular and/or adequate nighttime residence.

Unhoused facility shall mean emergency housing with minimal supportive services for unhoused persons that is intended for occupancy of three months or less in a given year by an unhoused person.

Article 39.03 Use Types

Section 39.03.005 Civic Use Types

Group Living-the residential occupancy by a group of people who do not meet the definition of a family are found in Section 39.02.009. The group living use does not apply to the Group Care Facility and Group Home uses found in Section 39.03.005. Group Living uses include, but are not necessarily limited to, the following:

- Family shelters;

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

- Group shelters;
- Unhoused persons shelters;
- Supportive housing; and
- Transitional housing.

Article 39.04 Zoning District Regulations

Sections:

- 39.04.001 Purpose**
- 39.04.002 Establishment of Districts**
- 39.04.003 Application of Districts**
- 39.04.004 Hierarchy**
- 39.04.005 Development Regulations**

Section 39.04.001 Purpose

Article Four presents the Zoning District Regulations. Zoning Districts are established in the Zoning Ordinance to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district. (Ord. No. 1171 § 1.)

Section 39.04.002 Establishment of Districts

The following base districts and overlay districts are hereby established. Table 4-1 displays the purposes of these districts.

BASE ZONING

AG
RR
R-1
R-2
R-3
MH
LC
CC
DC
GC
LI
GI
P

DISTRICT NAMES DISTRICTS

Agricultural District
Rural Residential District
Low-Density Residential District
Medium-Density Residential District
High-Density Residential District
Mobile Home Residential District
Limited Commercial District
Community Commercial District
Downtown Commercial District
General Commercial District
Limited Industrial District
General Industrial District
Public District

OVERLAY DISTRICTS

MU
PUD
FP/FW
UM
Mixed Use Overlay District
Planned Unit Development Overlay District
Floodplain/Floodway Overlay District
Underground Mine Overlay District

(Ord. No. 1171 § 1.)

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Section 39.04.003 Application of Districts

A base district designation shall apply to each lot or site within the city and its planning jurisdiction. A site must be in one base district.

Overlay districts may be applied to any lot or site or any portion thereof, in addition to a base district designation. The Mixed Use District may stand alone as a base district. (Ord. No. 1171 § 1.)

Section 39.04.004 Hierarchy

References in the Zoning Ordinance to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial, and industrial base zoning districts established in Section 39.04.002, and shall represent a progression from the AG Agricultural District as the least intensive to the GI General Industrial District as the most intensive. The Overlay Districts shall not be included in this reference. (Ord. No. 1171 § 1.)

Section 39.04.005 Development Regulations

For each Zoning District: Purposes are set forth in Table 4-1, Permitted Uses are set forth in Table 4-2, and Site Development Regulations are presented in Table 4-3. Supplemental Regulations may affect specific land uses or development regulations in each zoning district. The applicable Supplemental Regulations are noted in Table 4-2. (Ord. No. 1171 § 1.)

Table 4-1 Purposes of Zoning District

Symbol	Title	Purpose
AG	Agricultural District	The AG District provides for and preserves the agricultural and rural use of land, while accommodating very low density residential development generally associated with agricultural uses. This district is designed to maintain complete agricultural uses within the Dickinson extra-territorial jurisdiction.
RR	Rural Residential	This district provides for the rural residential use of land, accommodating very low and low density residential environments. The district’s regulations assure that density is developed consistent with: land use policies of the Dickinson Comprehensive Plan regarding rural subdivision; levels of infrastructure; and environmentally sensitive development practices. The district also accommodates developments that merge urban living with rural life.
R-1	Low-Density Residential	This district is intended to provide for low-density residential neighborhoods, characterized by single-family dwellings on relatively large lots with supporting community facilities and

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

		urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-2	Medium-Density Residential	This district is intended to provide for medium-density residential neighborhoods, characterized by single-family dwellings on small to moderately sized lots and low-density, multiple-family development. It adapts to both established and developing neighborhoods, as well as transitional areas between single-family and multi-family neighborhoods. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-3	High-Density Residential	This district is intended to provide locations primarily for multiple-family housing, with supporting and appropriate community facilities. It also permits some non-residential uses such as offices through a special permit procedure, to permit the development of mixed use neighborhoods.
MH	Mobile Home Residential	This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivision, along with the supporting services necessary to create quality residential neighborhoods.
LC	Limited Commercial	This district reserves appropriately located area for office development and a limited variety of low-impact commercial facilities which serve the needs of residents of surrounding residential communities. The commercial and office uses permitted are compatible with nearby residential areas. Development regulations are designed to ensure compatibility in size, scale, and landscaping with nearby residences.
CC	Community Commercial	This district is intended for commercial facilities which serve the needs of markets ranging from several neighborhoods to the overall region. While allowed commercial and office uses are generally compatible with nearby residential areas, traffic and operating characteristics may

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

		have more negative effects on residential neighborhoods than those permitted in the LC District. CC Districts are appropriate at major intersections, at the junction of several neighborhoods, or at substantial commercial sub-centers. Outdoor storage shall be limited and screened.
DC	Downtown Commercial District	This district is intended to provide appropriate development regulations for Downtown Dickinson. Mixed uses are permitted within the DC District and are encouraged in multi-story structures. The grouping of uses is designed to strengthen the town center’s role as a center for trade, service, and civic life.
GC	General Commercial	This district accommodates a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts.
LI	Limited Industrial	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring that facilities are served with adequate parking and loading facilities.
GI	General Industrial	This district is intended to accommodate a wide variety of industrial uses, some of which may have significant external effects. These uses may have operating characteristics that create conflicts with lower-intensity surrounding land uses. The district provides the reservation of land for these activities and includes buffering requirements to reduce incompatibility.
P	Public	This district accommodates substantial public institutions or uses. It sets aside areas for

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

		conservation, public recreation, and full access public facilities.
--	--	---

ZONING DISTRICT REGULATIONS

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Agricultural Uses														
Horticulture	P	P			S		P	P		P	P	P	P	39.06.002a
Crop Production	P	P											P	39.06.002a
Type I Animal Production	P	S												39.06.002c
Type II Animal Production	S													
Type III Animal Production	S													
Livestock Sales	S										S	S		
Residential Uses														
Single-Family Detached	P	P	P	P	P	P	S							
Single-Family Attached				P	P	P	S							39.06.003b
Duplex	P			P	P		S							
Townhouse	P			P	P		S		P					39.06.003c
Multiple Family				P	P		S		P					
Downtown Residential									P					39.06.003d
Mobile Home Park						S								39.06.003e
Mobile Home Subdivision						S								39.06.003f
Manufactured Housing Residential	P	P	P	P	P	P	S							
Retirement Residential	S		S	P	P		S		S					
Home Occupations	S	S	S	S	S	S			S					39.06.008a

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Accessory Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	Note 8
Accessory Dwelling Units Commercial							P	P		P				Note: Subject to approval in Accordance with Section 39.06.010 B
Accessory Dwelling Units Residential	P	P		P	P	P								Note: Subject to approval in Accordance with Section 39.06.010 A
Civic Uses														
Cemetery	P	S	S	S									S	
Clubs	S	S	S	S	S	S	S	P	P	P				39.06.004a
College/ University													P	
Convalescent Services	S	S		S	S	S	P	P	P	P				
Cultural Services		S	S	S	P	P	P	P	P	P	P		P	
Day Care (Family)	P	P	P	P	P	P	P	P	P	P	S			39.03.005g
Day Care (Group)	S	S	S	S	P	S	P	P	P	P	S			39.03.005h
Detention Facilities	S								S	S	S		S	
Emergency Residential	P	P	P	P	P	P	P	P	P	S	S			
Golf Courses (Public)	S	S	S	S	S	S							P	
Government Offices							P	P	P	P	P		P	
Group Care Facility	S	S	S	S	P	S	P	P	P	P				36.06.004c
Group Home	P	P	P	P	P	P	P	P	P	P				36.06.004c
<u>Group Living Facility</u>					<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				<u>36.06.004</u>

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Guidance Services					P		P	P	P	P	P	P		
Hospitals					S		P	P	P	P	S		S	
Health Care	S	S			S		P	P	P	P	P	P	S	
Libraries (Public)							P	P	P	P			S	
Maintenance Facilities	S	S						S		P	P	P	S	
Park and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities							P	P	P	P	P	P	P	
Primary Education	S	P	P	P	P	P	P	P	P	S			P	
Public Assembly							S	S	P	P			P	
Religious Assembly	P	P	P	P	P	P	P	P	P	P	S			
Safety Services	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Education													P	
Sports Facilities, Field, and Arenas (Public)													P	
Utilities	S	S	S	S	S	S	S	P	P	P	P	P	S	
Office Uses														
General Offices	S				S		P	P	P	P	P	P		
Financial Services					S		P	P	P	P	P	P		
Medical Offices					S		P	P	P	P	P	S		
Commercial Uses														
Ag Sales/Services	S							S		P	P	P		
Auto Rental/Sales								S	S	P				39.06.005c
Auto Services							S	P	S	P	P	P		39.06.005a,b
Body Repair								S		P	P	P		39.06.005a

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Equipment Rental/Sales										P	P	P		39.06.005c
Equipment Repair										P	P	P		39.06.005a
Veh. Storage (Short-Term)										P	P	P		
Bed and Breakfast	P	S		S	P		P	P	P	P				39.06.005d
Business Support Services							P	P	P	P	P	P		
Business/Trade School								P	P	P	P			
Campground	S					S				S				
Cocktail Lounge								P	P	P				
Commercial Recreation (Indoor)	S						S	P	P	P	P			
Commercial Recreation (Outdoor)	S								S	P	P	P	S	
Communication Service							P	P	P	P	P	P		
Construction Sale/Service								S		P	P	P		
Consumer Service							P	P	P	P	P			
Convenience Storage	S				S	S	S	S		S	P	P		39.06.005f
Crematorium										S	S	P		
Microbrewery pub and distillery								P	P	P				
Food Sales (Convenience)							S	P	P	P	P	P		
Food Sales (Limited)							P	P	P	P				
Food Sales (General)							S	P	P	P				
Funeral Service					S		P	P		P				
Limited Retail Services							P	P	P	P				
Gaming Facility								S	S	P				
General Retail Services								P	P	P				

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Kennels	P	S								S	P	P		
Laundry Services								S	S	P	P	P		
Liquor Sales		S					P	P	P	P				
Lodging								P	P	P	S			
Personal Improvement					S		P	P	P	P	P	P		
Personal Services					S		P	P	P	P	P	P		
Pet Day Care	P	S	S	S	S		P	P	P	P	P	P		39.03.0 19y
Pet Services	S						P	P	P	P				
Research Services							P	P	P	P	P	P		
Residential-Commercial							P	P	P	P				
Restaurants (Drive-In)							S	P	S	P	S	S		
Restaurants (General)	P						P	P	P	P	S	S		
Restricted Business														
Stables	P	S										S		
Surplus Sales	S								S	P	P			
Trade Services	S							P	S	P	P			
Vehicle Storage										S	P			
Veterinary Services	S	S					S	S	S	P	P			
Parking Uses														
Off-Street Parking			S	S	S		S	S	P	P	P	P		
Parking Structure								S	S	S	P			
Industrial Uses														
Custom Manufacturing								S	S	P	P	P		
Light Industry											P	P		
General Industry												P		
Heavy Industry												S		
Oil Wells	S											S		

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Resource Extraction	S											S		
Salvage Services and Yards, Junk Yards												P		39.06.006a
Vehicle Storage (Long-term)											P	P		
Warehousing (Open)											P	P		
Warehousing (Closed)									S	P	P	P		
Construction Yards										S	P	P		
Recycling Collection								S		P	P	P		
Recycling Processing											P	P		
Grain Elevators												S		
Petroleum Storage/Sales	S											S		
Stockyards	S											S		
Toxic Gaseous Storage	S											S		Note 9
Dairy Plant										S	S	P		
Transportation Uses														
Aviation	P											P		
Railroad Facilities	S								S	S	P	P		
Truck Terminal										S	S	P		
Transportation Terminal	S							S	S	S	P	P		
Miscellaneous Uses														
Communications Tower	S	S	S	S	S	S		S	S		S	S		
Amateur Radio Tower	P	P	P	P	P	P	P	P	P	P	P	P		
Construction Batch Plant											S	P		
WECS	P	P	S	S	S	S	S	S	S	S	S	P		

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Use Types	AG	RR	R-1	R-2	R-3	MH	LC	CC	DC (14)	GC	LI	GI	P	Add'l Reg.
Landfill (Inert)	S	S										S		
Landfill (Municipal, Industrial or Special Waste)	S												S	
Alternative Energy Production Devices	P	P	S	S	S	S		S	S		S	P		
Motorized Sports	S										S	S		Note 10

*Note: Provisions of Sections 39.06.008 through 39.06.009 apply to all use types

P = Uses Permitted by Right S = Uses Permitted by Special Permit Blank = Use Not Permitted
--

ZONING DISTRICT REGULATIONS

Table 4-3a Summary of Site Development Regulations

Regulator	AG	RR	R-1	R-2	R-3*
Minimum Lot Area (square feet)	5 acres	1 Acre (Note 1)*	7,500	7,000	7,000
Minimum Lot Width (feet)	300	100			
Single-Family Detached			60	50	50
Single-Family Attached			45	45	45
Other Residential			60	75 (Note 3)	75 (Note 3)
Site Area per Housing Unit (square feet)					
Single-Family Detached	5 Acres	1 Acre	7,500	7,000	7,000
Single-Family Attached				4,000	4,000
Duplex				10,000	10,000
Townhouse or multi-family up to 4 units				7,000 for the first unit and 3,000 thereafter (Note 6)	7,000 for the first unit and 3,000 thereafter

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Each additional multi-family unit over 4 units					7,000 for the first unit, 3,000 for the next three units and 1,000 thereafter
Retirement Residential Minimum Yards (feet)	(Note 10)		(Note 10)	(Note 10)	(Note 10)
Front Yard Arterial Streets	50	40	25	25	25
Other Streets	50	40	25	25	25
Street Side Yard	15	15	15	15	15
Interior Side Yard	15	15	6	6 (Note 2)	6 (Note 2)
Rear Yard	50	25	20	20 (Note 5)	20 (Note 5)
Maximum Height (feet)		40	40	SUP in excess of 65 feet	60
Maximum Building Coverage	NA	25%	40%	60%	70%
Maximum Impervious Coverage	NA	35%	50%	65%	75%
Floor Area Ratio	NA	NA	NA	NA	

- Notes Accompanying This Table Appear after Table 4-3c

ZONING DISTRICT REGULATIONS

Table 4-3b Summary of Site Development Regulations

Regulator	MH	LC*	CC*	DC	GC*
Minimum Lot Area (square feet)		5,000	12,000	None	12,000
Minimum Lot Width (feet)		50	100	NA	100
Site Area per Housing Unit (square feet)		Same as R-3	NA	500	NA
Minimum Yards (feet)					
Front Yard		20	20	0	20
Street Side Yard		20	10	0	10
Interior Side Yard		10	0	0	0
Rear Yard		20	0	0	0
Maximum Height (feet)		40	40	SUP in excess of 65 feet	60
Maximum Building Coverage		50%	60%	100%	70%
Maximum Impervious Coverage		70%	80%	100%	90%

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Retirement Residential		(Note 10)		(Note 10)	
------------------------	--	-----------	--	-----------	--

*Uses in the R-3, LC, CC, GC, LI, and GI Districts are subject to landscape and screening provisions contained in Article 39.08

ZONING DISTRICT REGULATIONS

Table 4-3c Summary of Site Development Regulations

Regulator	LI*	GI*	P* (Note 15, Note 16)
Minimum Lot Area (square feet)	10,000	10,000	N/A
Minimum Lot Width (feet)	100	100	N/A
Site Area per Housing Unit (square feet)	N/A	N/A	N/A
Minimum Yards (feet)			
Front Yard	20	20	None except when abutting a residential zoning district; in which case the front yard setback to a building or parking area shall be the required setback of the abutting residential district
Street Side Yard	20	20	None except when abutting a residential zoning district; in which case the side yard setback to a building or parking area is 10 feet. The required side yard setback shall be increased by one-half foot for each foot that the structure exceeds 20 feet in height.
Interior Side Yard	10	10	None except when abutting a residential zoning district; in which case the side yard setback to a building or parking area is 10 feet. The required side yard setback shall be increased by one-half foot for each foot that the structure exceeds 20 feet in height.

**ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT
AMENDMENTS**

Rear Yard	20	20	None except when abutting a residential zoning district; in which case the rear yard setback to a building or parking area is 10 feet. The required rear yard setback shall be increased by one-half foot for each foot that the structure exceeds 20 feet in height.
Maximum Height (feet)	SUP in excess of 60 feet	SUP in excess of 60 feet	45 feet if abutting a zoning district with a maximum height of 45 feet or less. If the abutting zoning district allows buildings taller than 45 feet, the height of the abutting zone may be applied in the Public zoning district. If a setback of 100 feet can be provided the building height may be a maximum of 65 feet. Building heights greater than 65 feet require approval of a Special Use Permit.
Maximum Building Coverage	70%	85%	70%
Maximum Impervious Coverage	90%	100%	90%
Floor Area Ratio	1.0	2.0	

*Uses in the R-3, LC, CC, GC, LI, GI and P Districts are subject to landscape and screening provisions contained in Article 39.08

ZONING DISTRICT REGULATIONS

Notes to Preceding Pages: Tables 4-2 and 4-3

Note 1:

Rural Residential development situated within one of the designated rural development areas of the Comprehensive Plan may occur on minimum lot sizes below 1.0 acres, if such development is approved by the City as a Conservation Subdivision, designed in conformance with the Comprehensive Plan, to ensure compatible installation of infrastructure and sanitary waste collection systems in the future.

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

Note 2:

Six feet for single-story construction, one foot for each 4 feet for any building over 24 feet in height. See Section 39.06.003 for supplemental regulations governing single-family attached and townhouse residential use types.

Note 3:

See Section 39.06.003 for supplemental regulations regarding modifications of lot width for townhouse residential use type.

Note 4:

Height limit for residential structures. 65 feet for other permitted uses.

Note 5:

Setback ten feet for single-story construction, five feet for each additional story.

Note 6:

The 3,000 square feet per townhouse unit applies for up to 10 units in townhouse developments in the R-2 district.

Note 7:

All allowable accessory buildings to a residence shall be limited to a maximum of one thousand two hundred feet (1,200) and for a maximum of three (3) detached structures for the first one acre or less. The total area of all accessory buildings may be increased by 250 square feet for each additional half (.5) acre of land area above one acre, but in no case shall the total exceed 30 percent lot coverage. Accessory buildings shall include the following: barns, stable, storage buildings, and detached personal vehicle garages.

Note 8:

Toxic Gaseous Storage: Storage facilities of toxic gaseous, materials, tanks/or bulk facilities shall not be built within (2) two miles of any residential subdivision or within (1) mile of any building for human occupancy generally, unless approved by a special use permit after a finding that storage will not pose a potential public health hazard.

Note 9:

- (1) Adequate direct road access to the site is provided with such access designed to minimize traffic congestion; and
- (2) Sufficient off-street parking areas are provided in conformance with Article 39.09, Table 9-1; and
- (3) The site is located at least one (1) mile from any residentially zoned area.

Note 10:

Density for Retirement Residential is 7,000 square feet for 4 units and 1,000 square feet for each additional unit.

Note 11:

Attached garages shall not exceed the total square footage and height of the residence.

Note 12:

Detached structures shall not exceed the height of fifteen (15) feet or the height of the primary residence, whichever is less, unless the detached structure is setback from the side and rear

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

property line a minimum of two (2) horizontal feet for every one (1) foot in height exceeding the maximum height of the structure in residential districts.

Note 13:

Accessory structures larger than two hundred and fifty (250) square feet shall be constructed with similar materials of the primary residence or building in residential and commercial zoning districts.

Note 14:

Residential Use in multi-story structures in the DC zoning district, as well as family and group cares, emergency residential, group care, group home, religious assembly, and bed and breakfast uses will be located in the floor or floors above commercial uses.

Note 15:

In addition to the off street parking requirements in Article 39.09, parking and loading areas in the P zoning district abutting or directly across the street from a residential zoning district shall be set back the minimum front yard setback of the adjacent residential district.

Note 16:

All service, repair, processing or storage on property abutting or across the street from a residential zoning district shall be contained wholly within an enclosed building unless screened from residential zoning by a site-obstructing fence or wall. (Ord. No. 1171 § 1; Ord. No. 1205, § 1; Ord. 1225 § 2; Ord. 1235 § 1 & 2; Ord. 1244 § 3, Ord. 1423 § 4; Ord. 1437 § 4; Ord. 1475 § 1. Ord. 1604 § 3. Ord. No. 1610 § 3, Ord. No. 1643 § 1, Ord. No. 1650 § 3; Ord. No. 1706 § 3; Ord. No. 1707 § 3)

Article 39.06 Supplemental Use Regulations

Section 39.06.004 Supplemental Use Regulations: Civic Uses

Group living uses shall be allowed by Special Use Permit.

As part of the special use permit request, the applicant shall submit the following additional information:

- Information regarding the proposed group living facility operation, which includes, but is not necessarily limited to, the following:
 - A complete statement of the types of services to be provided, including a client case management plan as well as the provision of “wrap around” services;
 - Consent to a background investigation of the owner/operator of the facility;
 - A list of required licenses and/or certificates, if any;
 - A list of agencies expected to provide services at the facility;
 - The applicant’s history of residency, employment, and business ownership for five years prior to the date of the application;
 - A copy of the facility’s house rules and regulations;
 - A copy of the facility’s on-site security plan;

ATTACHMENT A –PROPOSED GROUP LIVING FACILITIES ZONING CODE TEXT AMENDMENTS

- A copy of the facility’s on-site emergency management plan, to include contingencies for fire, tornado, and other natural disaster;
- Any additional information deemed necessary by Development Services, the Planning and Zoning Commission, and/or the City Commissioner.

No Group Living use may be located within 300 feet of another Group Living use, measured by lot line to lot line, unless such location is otherwise reviewed and approved as a Special Use.

If located within 150 feet of a single-family residential zoning district, including overlay districts and/or planned unit developments, all outdoor activity shall be screened from public view and from the view of adjacent properties.

Lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. Lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood.

Any permit issued under this Section shall be non-transferrable as to the permit holder and/or the premises to be permitted. A permit holder may not relocate their operation using the same permit. A permit approved at a particular location may not be transferred to a new individual or business.

The permit holder shall conduct an annual compliance audit. The results of that annual compliance audit shall be made available to the Community Development Department.

The permit holder shall appear annually before the Planning and Zoning Commission for renewal of the permit. In addition annual compliance audit, the Community Development Department may require additional information or an annual site inspection prior to renewal.

Group living facilities shall comply with all applicable local, state and federal requirements.

Group living facilities shall comply with all applicable Uniform Building and Fire Codes, including maximum occupancy restrictions.