

ZONING ORDINANCE GROUP LIVING FACILITIES

CITY OF DICKINSON PLANNING AND ZONING
COMMISSION MEETING

APRIL 10, 2024

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.02 DEFINITIONS

- PROVIDE DEFINITIONS FOR THE FOLLOWING TERMS:
 - ***Group facility*** shall mean a type of facility that shelters multiple people of the same gender who are unrelated. In a women's facility, this could also include a single mother with children. 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.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.02 DEFINITIONS (CONTINUED)

- PROVIDE DEFINITIONS FOR THE FOLLOWING TERMS:
 - ***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.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.03 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:
 - Group shelters;
 - Unhoused persons shelters;
 - Supportive housing; and
 - Transitional housing.

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.04 USE ZONING DISTRICT REGULATIONS

- A Group Living Facility would be allowed as a Special Use in the following zoning district:
 - Agricultural (AG);
 - Rural Residential (RR);
 - Single-Family Residential (R-1);
 - Medium-Family Residential (R-2);
 - High-Density Residential (R-3);
 - Mobile-Home Residential (MH);
 - Limited Commercial (LC);
 - Community Commercial (CC);
 - Downtown Commercial; and
 - General Commercial (GC).

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.06 ZONING DISTRICT REGULATIONS

In addition to the Special Use Permit requirements found in Section 39.12.003 of the Zoning Ordinance , an applicant for a group living facility use shall submit the following additional information:

- 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;

PROPOSED ZONING ORDINANCE AMENDMENTS

ARTICLE 39.06 SUPPLEMENTAL USE REGULATIONS

- A copy of the facility's on-site emergency management plan, to include contingencies for fire, tornado, and other natural disaster; and
- 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.
- 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.

CITY OF DICKINSON COMMUNITY DEVELOPMENT

- JOSHUA SKLUZACEK-ENGINEER-COMMUNITY DEVELOPMENT DIRECTOR
- STEVE JOSEPHSON, AICP-CITY/COUNTY PLANNER

