



CITY OF SAINT PAUL
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DATE: February 23, 2016

TO: Planning Commission

FROM: Comprehensive Planning Committee

RE: Congregate Living Zoning Study – a review of proposed text amendment initiated by Planning Commission Resolution 12-55, amending the zoning code text regarding congregate living facilities (Sec. 60.207.F., 60.217.P., 61.503, 63.207, 65.132, 65.143, 65.150 – 65.191, 65.662, 65.922, 66.221, 66.321, 66.421, 66.521)

ISSUE

On August 24, 2012, Planning Commission passed Resolution 12-55, initiating a zoning study to consider amendments to the Zoning Code regarding congregate living facilities. A need was identified for clearer definitions, improved consistency in standards among different types of facilities, and more timelessly accurate reflections of associated state programs that frequently change. Questions regarding definitions and regulations for congregate living facilities have continued to arise through more recent zoning applications, including how to define uses that appear to fall under multiple definitions, how to address proximity to schools, and how to address traffic/parking.

BACKGROUND

The congregate living portion of the Zoning Code was originally drafted in 1980 during a time widespread de-institutionalization of persons being treated for mental illness, mental handicaps, and substance abuse. The code received a major update in 1991, informed by a report from a 15-member task force that spent 11 months discussing and analyzing numerous additions and revisions. Additionally, sober houses were the subject of an in-depth, more focused, amendment in 2008. The subject zoning study is the first to address multiple types of congregate living in 24 years.

Due to the length and complexity of the background section, it is broken down into several subsections addressing the following questions:

- What are “Congregate Living Facilities”?
- Where are “Congregate Living Facilities”?
- What is the legal context for congregate living facilities regulation?
- How does the City Code currently regulate congregate living facilities?

What are “Congregate Living Facilities”?

Congregate living facilities are a category of residential uses that generally do not fit within the definition of a “family” because of the number of unrelated residents. They are commonly

recognized as important components of a healthy community that must be accommodated, but can have external impacts related to their size and outside services provided. The Saint Paul Zoning Code defines 18 categories of congregate living, including sober houses, rooming houses, nursing homes, dormitories, 3 types of community residential facilities, and others.

There is no complete inventory of all categories of congregate living in the city. The Department of Safety and Inspections (DSI) tracks certain categories in order to enforce separation requirements and maximum concentrations. Also, facilities information was recently obtained on a one time basis from the State of Minnesota Department of Human Services (DHS) for sites they license, though consistent future access to that data is not guaranteed. Other categories' facilities can be discovered via the Internet. There is also the issue that many facilities could fit under multiple definitions. Overall, we have a partial understanding of what congregate living facilities are like in Saint Paul today. The following paragraphs summarize our understanding of the various congregate living facilities, as categorized by our Zoning Code.

Foster home (Sec. 65.151) and Freestanding foster care home (Sec. 65.152)

By Zoning Code definition, a “freestanding foster care home” involves a license-holder who does not live on-site. According to DHS data, there are 4 freestanding foster care homes in Saint Paul, including 2 single-family homes with 5 or fewer adult residents, 1 single-family home with 4 youth residents, and 1 duplex with 10 adult residents with Alzheimer’s disease (5 in each unit). There are also approximately 200 (not freestanding) foster care homes in Saint Paul, each with between 1 and 6 residents, mostly for youth but several for adults, and nearly all in single-family homes.

Community residential facility, licensed human service (Sec. 65.153)

There are 36 licensed human service community residential facilities in Saint Paul in a variety of settings, including converted single-family homes, apartment buildings, and converted convents. Seventeen (17) of the facilities have 6 or fewer residents, 13 have between 7 and 16 residents, and 6 have more (up to 64 residents). Below are representative photographs of these facilities.



Community residential facility, licensed correctional (Sec. 65.154)

There are 5 licensed correctional community residential facilities in Saint Paul, with capacities ranging from 26 (Re-Entry Metro) to 65 (Totem Town). The facilities' campus sizes vary widely with Totem Town at 71 acres, two facilities at approximately 1 acre (one in Downtown collocated in a government building), and two facilities at less than 7,000 square feet. The facilities on smaller campuses are in converted single-family homes.

Community residential facility, health department licensed (Sec. 65.155)

There are 8 health department licensed community residential facilities in Saint Paul. Four (4) of the facilities have 16 or fewer residents, 2 have between 17 and 32 residents, and 2 have more (up to 60 residents). The facilities provide services to mentally ill and/or chemically dependent populations in accordance with the Zoning Code definition, and several focus on homeless populations who are also mentally ill and/or chemically dependent. One of the 8 facilities also possesses a license from DHS. Below are photographs of all 8 facilities.



Emergency housing facility (Sec. 65.156)

There are 5 facilities in Saint Paul that provide emergency housing under this definition, including the Dorothy Day Center, 2 facilities that combine emergency housing with transitional housing (Naomi Family Shelter and Booth Brown House), and 2 smaller, 10-bed facilities for teenagers on Larpentour Avenue.

Overnight shelter (Sec. 65.157)

Only the Union Gospel Mission facility and the Catholic Charities Women's Shelter are currently categorized as overnight shelters.

Shelter for battered persons (Sec. 65.158)

There are 5 shelters for battered persons in Saint Paul with capacities ranging from 6 to 46 residents. Three (3) are in converted single-family homes, and 2 are in multi-family or institutional buildings. Photographs are not shown here in order to protect the occupants.

Transitional housing facility (Sec. 65.159)

There are 15 transitional housing facilities in Saint Paul, including 3 in converted single-family homes and the others in apartment buildings or a custom-built campus. Two (2) of the facilities have 6 or fewer residents, 9 have between 7 and 16 residents, and 4 have more (up to 39 residents). Transitional housing facilities, by Zoning Code definition, provide program activities to facilitate independent living – in practice, many of these programs are oriented to chemical dependency recovery and mental health. One program, notably, serves single mothers in poverty pursuing educational goals, none of whom necessarily have chemical dependence or mental health issues. Below are representative photographs of these facilities.



Sober house (Sec. 65.160)

There are 59 sober houses in Saint Paul, mostly located in converted single-family homes. In part due to clustering of sober houses in the Summit-University, Fort Road, and Union Park planning districts, a zoning study was launched in 2005 that created a definition and standards for sober houses to limit clustering and to abide by federal laws.

Boardinghouse (Sec. 65.170) and Roominghouse (Sec. 65.171)

These categories of congregate living facilities are generally not tracked. There was a notable conditional use permit granted in 2002 for a roominghouse with 71 units at 286 Marshall Avenue that had characteristics in common with a transitional housing facility, namely that it provided support services intended to facilitate independent living. However, its status as a roominghouse was confirmed through the conditional use permit approval process.

Assisted living (Sec. 65.180), Boarding care home (Sec. 65.181), and Nursing home (Sec. 65.182)

These categories are not tracked by the City, though they include large facilities like Cerenity and Sholom Home. The 3 categories are regulated the same by the Zoning Code. In modern

developments, assisted living is often co-located with “independent living”, i.e. apartments for seniors who do not (yet) need ongoing health care services.

Hospice (Sec. 65.183)

Hospices are not tracked by the City, but they include Our Lady of Peace on St. Anthony Avenue and Sholom Home (co-located with assisted living). See photographs below.

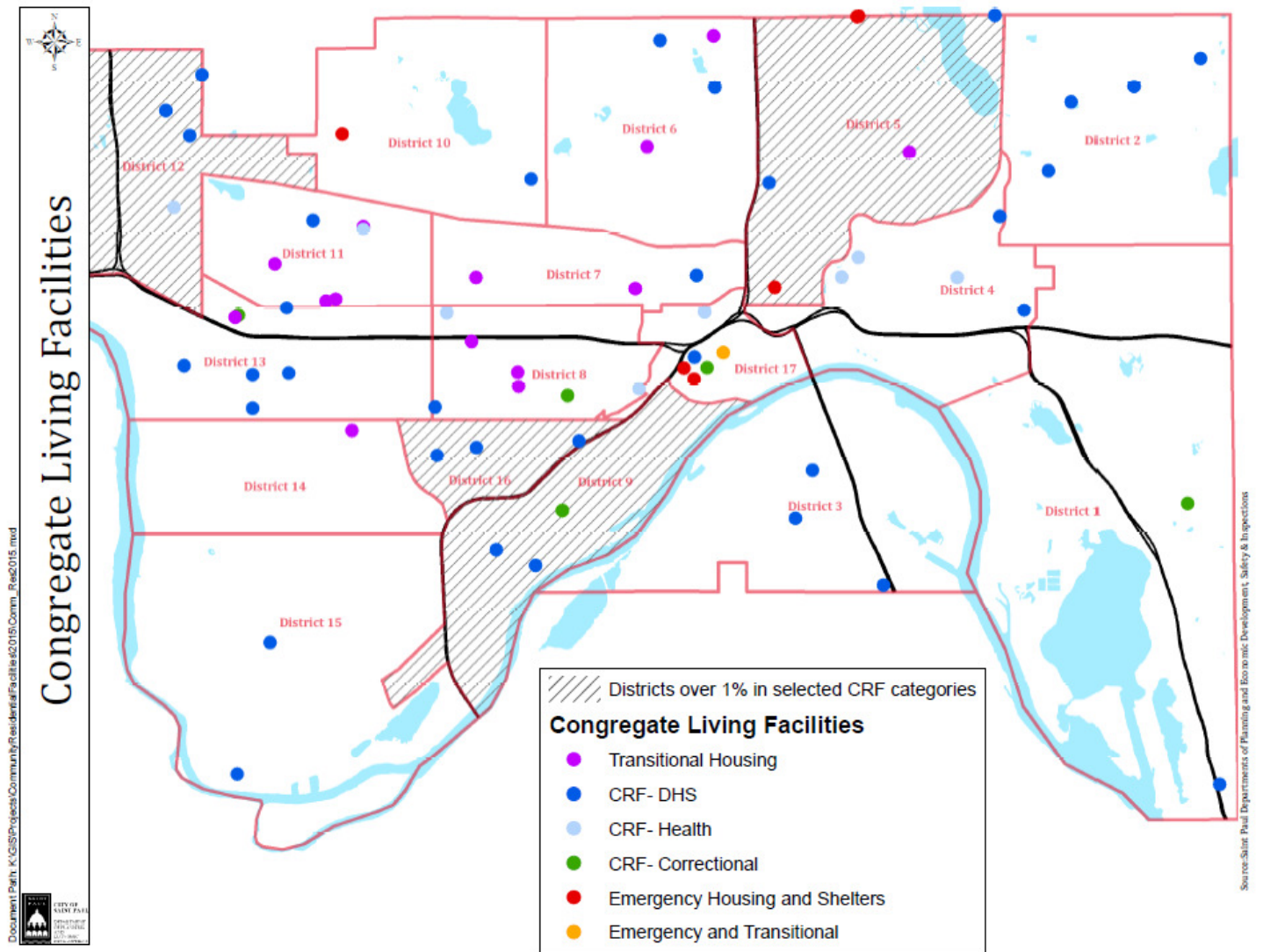


Dormitory (Sec. 65.190) and Fraternity, sorority (Sec. 65.191)

These categories are not tracked by the City.

Where are Congregate Living Facilities?

The City tracks certain categories of congregate living facilities in order to determine compliance with separation and concentration requirements in the Zoning Code. The following maps show the distribution of those facilities. Besides the information on the maps, there are 5 shelters for battered persons that are not shown for safety purposes, but can generally be described as being located in Districts 3, 4, 9, 10, and 16.



There are federal and state regulations that affect congregate living facilities and provide parameters for local regulation. A review of the most significant legal issues to this zoning study is below. Also, it is important to recognize that many congregate living facilities are licensed by the State of Minnesota Department of Human Services, the Department of Health, the Department of Corrections, or a combination of the three, and thereby must abide by those departments' regulations. If a facility were to become noncompliant with state regulations, the controlling department could require corrective action potentially including revocation of funding or the license itself.

The *Fair Housing Amendments Act* (1988) prohibits local land use regulation that discriminates against individuals on the basis of disability. Several categories of congregate living facilities in Saint Paul provide housing, or could provide housing, to disabled persons. A disability, or handicap, is defined as “a physical or mental impairment which substantially limits one or more of such person's major life activities,” not including sex offenders, current illegal drug users,

people who have been convicted of illegal drug use/sale/manufacturing, or persons who present a direct threat to the persons or property of others. A local government must allow for “reasonable accommodations” to allow persons or groups of persons with disabilities an equal opportunity to enjoy and use housing. The City of Saint Paul allows for such “reasonable accommodations” via Sec. 60.110, as applied through review by DSI.

The *Americans with Disabilities Act* (1990, amended 2010) similarly prohibits discrimination by public entities on the basis of disability, which is defined as “a physical or mental impairment that substantially limits one or more of the major life activities of (an) individual; a record of such an impairment; or being regarded as having such an impairment.” Such impairment includes “mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities” and diseases or conditions such as “orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.”

Minnesota State Law

The Minnesota Revised Statutes address licensing and regulation of congregate living facilities via three departments: the Department of Corrections (DOC), the Department of Health (DOH), and the Department of Human Services (DHS). The most relevant state laws to our zoning study address local regulation of DHS facilities, as follows. Residential facilities licensed by DHS for six (6) or fewer persons are permitted in single-family housing, regardless of local restrictions based on the definition of “family,” excepting only facilities for juvenile sex offenders. (The Saint Paul Zoning Code defines four (4) or fewer unrelated persons living together as a “family”.) Residential facilities licensed for seven (7) to 16 persons are permitted in multi-family housing, though local governments are allowed to require a conditional use permit (CUP) that is no more restrictive than CUPs for other uses. DHS requires residential facilities to be separated by 1,320 feet from other such facilities under normal circumstances.

Court Case

FamilyStyle v. City of Saint Paul is a 1990 US Court of Appeals decision that affirmed our separation requirements for mentally ill group homes on the basis that they ensure patients will actually live in a community environment rather than one that recreates an institutional environment through clustering of facilities.

How does the City Code currently regulate congregate living facilities?

The Zoning Code currently contains 18 categories of congregate living as defined in Chapter 65, Division III: Congregate Living (Sec. 65.151-191). The table below summarizes in which districts the uses are permitted:

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[illegible]

The Zoning Code definitions and standards establish separation requirements and maximum populations per planning district for certain categories of congregate living, as summarized in the table below. The table also notes which categories (as currently defined) are protected by the FHAA.

	<u>Separation Requirement</u>	<u>Subject to 1% Maximum¹</u>	<u>Count Toward 1% Maximum</u>	<u>Protected Class²</u>
Foster home	No	No	No	No
Freestanding foster home	No	No	No	No
CRF - human service	Yes ³	No	Yes	Yes
CRF - correctional	Yes ³	Yes	Yes	No
CRF - health department	Yes ³	Yes	Yes	Yes
Emergency housing	Yes ³	Yes	Yes	No
Overnight shelter	Yes ⁴	No	Yes	No
Shelter for battered persons	Yes ⁵	Yes	Yes	No
Transitional housing	Yes ⁶	Yes	Yes	No
Sober house	Yes ⁷	No	No	Yes
Boardinghouse	No	No	No	No
Roominghouse	No	No	No	No
Assisted living	No	No	No	No
Boarding care home	No	No	No	No
Nursing home	No	No	No	No
Hospice	No	No	No	No

¹ Certain facilities' population in a planning district can be a maximum 1% of total district population.

² Those in a legally protected class can request "reasonable accommodations" to waive separation and 1% requirements. It is possible that other types of congregate living could also contain protected classes (e.g. an overnight shelter with high rates of mental illness). See Legal Context section above.

³ 600' from certain other facilities in B4-B5, or 1,320' from such facilities in other districts

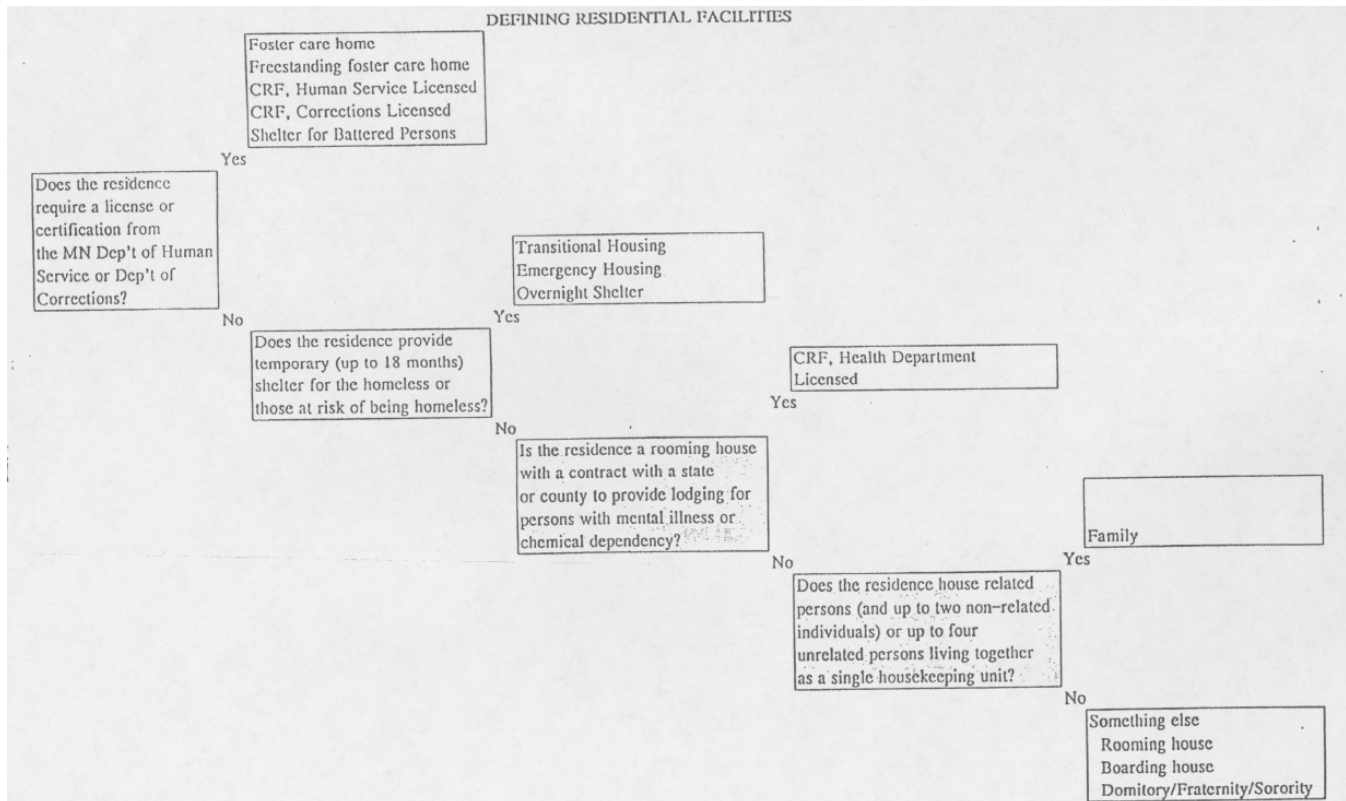
⁴ 600' from certain other facilities in all districts

⁵ 1,320' from certain other facilities in all districts

⁶ 1,320' from certain other facilities in RL-RT2 districts

⁷ 330' from other sober house properties

There is often uncertainty regarding which Zoning Code definition should apply to a proposed facility. The following decision tree came into use in about 2007, but is not formalized in the Zoning Code. It illustrates the complexity of the existing regulations.



PROPOSED AMENDMENTS & ANALYSIS

The full proposed amendments to the Zoning Code text and tables of permitted principal uses are among the memo attachments. A summary and analysis of the proposed amendments is below

Consolidate DHS CRFs, DOH CRFs, and Transitional Housing into a new definition: Supportive Housing Facility

These 3 existing categories primarily work with the same types of populations (often the same people with multiple problems) with the goal of re-entry into society, and in fact many existing sites could conceivably fall under more than one of these current definitions. Consolidation requires severing definitions tied to funding or licensing and instead focusing on what actually occurs at the facility. Separation requirements continue to be appropriate in order to ensure they are placed in normal neighborhood environments, and not placed in clusters that replicate an institutional environment (see *FamilyStyle v City of Saint Paul* court decision). DHS- and Health Department-Licensed Community Residential Facilities by definition serve handicapped clients under the *Fair Housing Amendments Act of 1988*, though Transitional Housing may or may not. The new category generally follows existing standards and districts for DHS-Licensed Community Residential Facilities, which represents looser regulations for Health Department-Licensed Facilities and Transitional Housing.

Consolidate Assisted Living, Boarding Care Home, Nursing Home, and Hospice into Adult Care Home

Assisted Living, Boarding Care Home, and Nursing Home use the same standards and are allowed in the same districts. It appears the main reason to have separate definitions was to replicate State agency definitions. It is proposed to further consolidate these three (3) categories with Hospice, given the similar land use effects. The new category is proposed to be permitted mostly in the same zoning districts as the current category of Hospice, which is the least restricted of the four (4).

Eliminate the 1% Maximum

The Zoning Code regulation limiting the population of certain categories of congregate living to 1% or less of the planning district's total population (the "1% maximum" clause) is intended to counter overconcentration, much like the spacing requirements (e.g. 1,320' or 600' between certain facilities). Notably, the regulation applies to only five (5) categories of congregate living, but uses seven (7) categories in calculating the 1% population. Particularly troublesome is that one of the most common categories of congregate living, DHS-licensed community residential facilities, contributes to the 1% but does not need to abide by it. The 1% maximum clause also has other drawbacks, including that it requires substantial staff time to track, does not account for barriers like highways or railroad tracks, and its application to planning district geographies is overall not as effective as numerical separation requirements in avoiding "institutional environments" and promoting integration into the community.

Consolidate Foster Home and Freestanding Foster Home

Both categories are regulated the same except for parking, and there is no known reason to repeat the State definitions here. A Freestanding Foster Home requires 1.5 off-street parking spaces per 4 residents, while a Foster Home has no special requirement and is thus treated as its primary use (generally a one-family dwelling unit, which requires 1.5 spaces). In practice, the 4 existing Freestanding Foster Homes in Saint Paul would have the same parking requirement whether regulated under the current parking requirements, or simply as single-family or two-family dwellings (as applicable). Elimination of the explicit parking requirement for Freestanding Foster Home would have no effect if future facilities are similar in size to existing.

Consolidate Roominghouse and Boardinghouse

Like the above issue, both Roominghouse and Boardinghouse are regulated the same, and there is no known reason to repeat the State definitions here.

Reduce Minimum Lot Size Requirements

A minimum lot size should continue to be specified for congregate living uses in certain zoning districts in order to meet the intent of minimum lot size regulations, which for other residential uses are based on number of units, not number of residents or number of rooms. That is, for example, a congregate living facility has only 1 living unit according to the Zoning Code regardless of the number of residents, and therefore would have an excessively small minimum lot size if relying only on the district standards. However, the existing minimum lot size requirements (generally 5,000 square feet plus 1,000 square feet for each guest room in excess of 2 guest rooms) for certain categories of congregate living seem to exceed actual need. The proposed amendments bring congregate living lot size more in line with similar residential uses in residential and T1 zoning districts. Meanwhile, minimum lot sizes are proposed to be

eliminated for congregate living uses in zoning districts that do not regulate multi-family uses that way, but instead rely on floor-to-area ratio (F.A.R.) to control density: T2-T4, business, and industrial districts.

Eliminate Petition Requirement Under Reuse of Large Structures for “Handicapped” Users

Given: (1) the general City policy to accommodate facilities supporting the reintegration of mentally ill and former substance abusers into mainstream society; (2) the reliable neighbor opposition to “those people” who are perceived to be likely to harm a child walking to a nearby school, etc.; (3) the protections afforded to mentally ill and other handicapped by the *FHAA*; and (4) the plethora of large structures in need of productive reuse; it would seem to be a reasonable accommodation to allow uses serving mentally ill and other handicapped persons to avoid the petition requirement for reuse of large structures. The public hearing notification requirements would remain.

PUBLIC HEARING TESTIMONY

The Planning Commission held a public hearing on January 22, 2016 and left the record open for written comments through January 25, 2016. At the hearing, representatives from the Merriam Park Housing Mix Working Group delivered a presentation raising concerns with the concentration of sober houses in their neighborhood and the cumulative impact of residences other than single-family residences – such as sober houses, other congregate living, and student housing – on the neighborhood’s character. The Working Group’s recommendations include: change the sober house separation requirement from 330 to 1,320 feet; study sober houses’ neighborhood impact, using Merriam Park as a case study; register, track, and forecast all housing types; consider instituting licenses and fees to sustain tracking and oversight of sober houses; and institute a notification system for citizens when a sober house comes in. The Working Group provided two versions of their PowerPoint presentation: the version delivered at Planning Commission, and a follow-up revised version provided a couple days later.

The Union Park District Council (UPDC) provided a letter endorsing some of the Working Group’s recommendations, including that: all housing types be registered, tracked, and forecasted; a citizen notification system be instituted for incoming sober houses; and tax implications be studied and addressed. The UPDC did not endorse the Working Group’s recommendation that Sober Houses be added to the collection of congregate living facilities that must generally be separated by 1,320 feet. (Subsequent to the public hearing, the UPDC changed their position on the Sober House separation, now agreeing with the Working Group that 1,320-foot separation should be recommended.)

People Incorporated, a congregate living provider specializing in mental health, provided a letter asking the Planning Commission to closely scrutinize, discuss, and disclose to the public the reasons for any of the differences in restrictions placed upon Supportive Housing Facilities and Adult Care Homes.

ANALYSIS OF TESTIMONY

The section below analyzes the main issues raised by public testimony.

1. Issue: Sober Houses should be separated from each other by 1,320 feet instead of the current regulation of 330 feet.

Response: Sober Houses are a litigiously sensitive land use that became regulated in Saint Paul well after other categories of congregate living. Sober Houses were the subject of an intense public process and zoning study from 2005 to 2008, including City Council initiation in response to constituent concerns, public hearings, discussions with sober house operators, and four meetings of the Neighborhood Planning Committee to analyze the issues. Sober Houses are different than other congregate living facilities in two important ways: (1) Sober Houses, by Zoning Code definition, do not provide on-site supportive services to residents such as mental health or social services; and (2) as noted in the 2008 study, Sober Houses are generally intended to function like a single family, with shared kitchens, bathrooms, living rooms, and other common areas. Therefore, Sober Houses should not be treated the same as other Congregate Living Facilities. Also, testimony in 2008 indicated that “bona fide” Sober Houses were not causing negative neighborhood impacts, but rather these were caused by groups masquerading as Sober Houses in order to evade regulations – a problem addressed by the establishment of the Sober House zoning regulations. There is no evidence in the record that the nature of Sober Houses has changed appreciably since 2008. Also, no evidence has been identified that an increase in the separation between sober houses is necessary to establish or maintain a “community” setting. Lacking such evidence, no change to the 330 foot separation is recommended.

2. Issue: Sober Houses’ neighborhood impact should be studied, using Merriam Park as a case study. Sober Houses have a presumed negative impact on neighborhoods.

Response: Such a study would need parameters defining the exact impacts to be studied and would need to have measurable, defensible results. Studies have been completed on property impacts in the past: according to the American Planning Association’s Policy Guide on Community Residences, more than 50 studies of community residences such as sober houses or other group homes have found that such facilities have no effect on the value of neighboring properties. No such study is recommended.

It should also be noted that characteristics of Congregate Living Facilities cited in the Working Group’s presentation, such as frequent turnover and lack of linkages to community, are not supported by any known existing study (the presentation cites Alene Taber’s work, which simply states those assumptions without measurable support). Merriam Park neighbor logs on Slide 8 of the Working Group’s presentation reflect conjecture (e.g. single-family residential = same family for 20 years, no smokers) and are not measurable and defensible.

3. Issue: The City should holistically register, track, and forecast all housing types.

Response: Congregate Living Facilities that have separation distance requirements, such as sober houses and Community Residential Facilities, are already tracked by the City. Sober houses must file a “request for reasonable accommodation” application with the City, which aids in tracking. Student housing is also already tracked by the City. Apartments, duplexes, and any other multi-unit residences can be identified through Ramsey County property records. The main category of housing that has not been

tracked is rental versus owner-occupied housing. The question of whether to regulate rental housing, in general, is beyond the scope of this zoning study.

4. Issue: The City should notify neighbors of incoming sober houses.

Response: In the 2008 Sober Houses Zoning Study, the City Attorney's Office advised against implementing neighborhood notification of incoming Sober Houses because it would violate the *Fair Housing Amendments Act of 1988* if the City denied a reasonable accommodation request in response to neighbors' fears or discriminatory concerns about people with disabilities. The legal issue cited in 2008 remains valid. No notification is recommended.

5. Issue: The City should consider instituting licenses and fees that sustain tracking and oversight of Sober Houses.

Response: This is already being done. The City requires Sober Houses to submit a request for reasonable accommodation, including a fee currently set at \$355.

6. Issue: The City should create a plan to study tax implications of Congregate Living Facilities.

Response: In order to avoid policies that are discriminatory against Congregate Living Facilities containing residents protected by federal law, any such study should address the tax implications of all types of land use (e.g. public housing, nonprofit colleges, government facilities, K-12 charter schools). Such study would be beyond the scope of this zoning study.

7. Issue: Supportive Housing facilities and Adult Care Homes are proposed to be regulated differently. For example, Supportive Housing Facilities with 7 to 16 residents would require a conditional use permit in the RT2 through T1 zoning districts, while similarly sized Adult Care Homes would not. Second, Adult Care Homes of any size require a conditional use permit in the business and industrial zoning districts other than B4-B5, while Supportive Housing Facilities do not. Third, Supportive Housing Facilities must be separated by 1,320 feet (or 600 feet in the B4-B5 districts) from certain other Congregate Living Facilities, while Adult Care Homes have no such separation requirements.

Response: Supportive Housing Facilities and Adult Care Homes have some similarities, including that they are residential uses where, by definition, services are regularly provided to the residents. They also each contain groups of people who have certain specific characteristics (e.g. age, infirmity, mental illness, former alcohol/substance addiction) not representative of the broader population as a whole. The purpose of separation requirements for Supportive Housing Facilities is to ensure their residents are located in mainstream community settings, and not placed in clusters that replicate an institutional environment. This is not a factor for Adult Care Homes, which have not traditionally used neighborhood integration as a treatment model. Therefore, separation requirements continue to be appropriate for Supportive Housing Facilities, but not for Adult Care Homes.

There are two purposes for regulating the number of residents for Supportive Housing Facilities through establishment of maximum numbers of residents and requirement for a conditional use permit: (1) to encourage facilities that are less institutional in nature due to their size; and (2) to fit with the zoning district's general character. Only the second purpose for regulating the number of residents is relevant to Adult Care Homes.

Therefore, the size regulations for Supportive Housing Facilities and Adult Care Homes should align with each other only in the zoning districts where larger facilities would not fit with the district's smaller-scale character: RL-RM1 residential, T1 traditional neighborhood, and OS-B2 business. Accordingly, additional revisions to the Adult Care Homes regulations are now proposed as incorporated in the attachments.

Also, for consistency with other I2 general industrial district regulations, which do not permit single-family residences, but allow mixed residential and commercial uses of 6+ units with a conditional use permit, both categories should require a conditional use permit in the I2 district, but not in the IT or I1 districts.

COMPREHENSIVE PLAN ANALYSIS

The Housing Chapter of the Comprehensive Plan applies to the proposed Zoning Code amendments in several ways. First and foremost, Strategy H-3.4.c calls for the City to examine and update the Zoning Code to correspond with the current state and county licensing and registration requirements and group housing programs, which is an issue explicitly addressed by this study. Strategy H-1.1 calls for increasing housing choices across the city. Strategy H-2.18 supports the expansion of housing choices for seniors, which is furthered by the expanded number of zoning districts that permit Assisted Living, Boarding Care Homes, and Nursing Homes (proposed to be combined as Adult Care Homes). Strategy H-3.4.a calls for siting permanent supportive and homeless housing to increase locational choices in an area, and increasing the distribution across the city, supported in the proposed regulation by continuation of separation requirements.

COMMITTEE RECOMMENDATION

The Comprehensive Planning Committee recommends that the Planning Commission approve the attached Draft Resolution recommending Zoning Code amendments to the Mayor and City Council.

Attachments

1. Draft Planning Commission Resolution
2. Existing and Proposed Tables of Permitted Principal Uses (consolidated and clean)
3. Written Testimony
4. Planning Commission Minutes of 1/22/16
5. 2008 Sober House Ordinance (#08-640) and Zoning Study