Congregate Living Facilities – Overview

Effective May 21, 2016

Division 3. 65.150. Congregate Living – Types of:

- Adult care home
- Emergency housing facility
- Community residential facility - licensed correctional
- Overnight shelter
- Shelter for battered persons
- Supportive housing facility

Off-Street parking Requirement:

Use Type	Minimum Required Off-Street Parking
Adult care home	1 space per every 3 residents
Emergency housing facility Community residential facility - licensed correctional Overnight shelter Shelter for battered persons Supportive housing facility	1.5 spaces per every 4 adult facility residents

Congregate Living Facilities – Definitions

Effective May 21, 2016

- **Adult Care Home** – A facility where aged, infirm, or terminally ill persons reside in order to receive nursing care, custodial care, memory care, Medicare-certified hospice services, or individualized home care aide services either by the management or by providers under contract with the management.

  Standards and conditions:

  (a) In residential and T1 traditional neighborhood districts, the facility shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of 4 guest rooms. In T2—T4 traditional neighborhood districts, the density shall be regulated as for multifamily uses.

  (b) In traditional neighborhood development districts, a facility located within a predominantly residential or mixed-use area shall have direct access to a collector or higher classification street.

  (c) In traditional neighborhood development districts, the site shall contain a minimum of 150 square feet of outdoor community space per resident, consisting of seating areas, yards and/or gardens. Public parks or plazas within 300 feet of the site may be used to meet this requirement.

  (d) In RL—RT1 residential districts, the facility shall serve 6 or fewer facility residents. In RT2—RM1 residential, T1 traditional neighborhood and OS—B2 business districts, the facility shall serve 16 or fewer facility residents.

  (e) In residential and T1 traditional neighborhood districts, a conditional use permit is required for facilities serving 7 or more facility residents.

- **Community residential facility - licensed correctional** - One (1) main building, or portion thereof, on one (1) zoning lot where 1 or more persons who are placed there by a court, court services department, parole authority or other correctional agency having dispositional power over persons charged with or convicted of a crime or adjudicated delinquent reside under the care and supervision of a residential program licensed by the state department of corrections.

  Standards and conditions:

  (a) Preliminary licensing review by the state department of corrections.

  (b) The facility shall be a minimum distance of 1,320 feet from any other of the following congregate living facilities with more than 4 adult residents, except in B4—B5 business districts where it shall be at least 600 feet from any other such

facility: supportive housing facility, licensed correctional community residential facility, emergency housing facility, shelter for battered persons, or overnight shelter.

(c) The facility serves no more than 16 facility residents, except in B4—B5 business districts where it shall serve no more than 32 facility residents.

(d) It shall occupy the entire structure.

(e) In residential and T1 traditional neighborhood districts, the facility shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of 4 guest rooms. In T2—T4 traditional neighborhood districts, the density shall be regulated as for multifamily uses.

- **Emergency housing facility** - One (1) main building, or portion thereof, on one (1) zoning lot where persons who do not have housing live on a 24-hour-per-day basis until more permanent arrangements can be made, but generally for no longer than 30 days.

  Standards and conditions:

  See section 65.161, supportive housing facility, standards and conditions (a)—(d).

- **Overnight shelter** - One (1) main building, or portions thereof, on one (1) zoning lot where persons receive overnight shelter, but are not expected or permitted to remain on a 24-hour-per-day basis.

  Condition:

  The facility shall be a minimum distance of 600 feet from any other of the following congregate living facilities with more than 4 adult residents: overnight shelter, supportive housing facility, licensed correctional community residential facility, emergency housing facility, or shelter for battered persons.

- **Shelter for battered persons** - One (1) main building, or portion thereof, on one (1) zoning lot where adults and children who have suffered assault or battery live on a 24-hour-per-day basis for a period of time generally not to exceed thirty (30) days and are served by a program certified by the state department of corrections.

  Standards and conditions for shelters for battered persons serving more than 4 adult facility residents and minor children in their care:

  (a) In residential, traditional neighborhood and OS—B2 business districts, a conditional use permit is required for facilities serving more than 4 adult facility residents and minor children in their care.

  (b) The facility shall be a minimum distance of 1,320 feet from any other of the following congregate living facilities with more than 4 adult residents: shelter for battered persons, supportive housing facility, licensed correctional community residential facility, emergency housing facility, or overnight shelter.

  (c) In RL—RT2 residential, traditional neighborhood, OS—B3 business and IT—I2 industrial districts, the facility shall serve 16 or fewer adult facility residents and minor children in their care.

  (d) The facility shall not be located in a two-family or multifamily dwelling unless it occupies the entire structure.

  (e) In residential and T1 traditional neighborhood districts, facilities serving 17 or more facility residents shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of 4 guest rooms. In T2—T4 traditional neighborhood districts, the density shall be regulated as for multifamily uses.

- **Supportive housing facility** - One (1) main building, or portion thereof, on one (1) zoning lot where persons with mental illness, chemical dependency, physical or mental handicaps, and/or persons who have experienced homelessness reside and wherein counseling, training, support groups, and/or similar services are provided to the residents.

  This definition does not include:

  (1) Foster homes as defined in this code;
  (2) Residential treatment programs physically located on hospital grounds;
  (3) Regional treatment centers operated by the commissioner of human services;

(4) Licensed semi-independent living services for persons with mental retardation or related conditions or mental illness, if the license holder is not providing, in any manner, direct or indirect, the housing used by persons receiving the service.

(5) Community residential facilities, licensed correctional, as defined in this code.

Standards and conditions:

(a) The facility shall be a minimum distance of 1,320 feet from any other of the following congregate living facilities with more than 4 adult residents, except in B5—B5 business districts where it shall be at least 600 feet from any other such facility: supportive housing facility, licensed correctional community residential facility, emergency housing facility, shelter for battered persons, or overnight shelter.

(b) In RL—RT1 residential districts, the facility shall serve 6 or fewer facility residents. In RT2 residential, traditional neighborhood, OS—B3 business and IT—I2 industrial districts, the facility shall serve 16 or fewer facility residents.

(c) In residential and T1 traditional neighborhood districts, a conditional use permit is required for facilities serving 7 or more facility residents.

(d) In residential and T1 traditional neighborhood districts, facilities serving 17 or more facility residents shall have a minimum lot area of 5,000 square feet plus 1,000 square feet for each guest room in excess of 6 guest rooms. In T2—T4 traditional neighborhood districts, the density shall be regulated as for multifamily uses.