

2018 AMENDMENTS TO THE CITY OF MARICOPA ZONING CODE – GROUP HOMES

Article 601 Use Classifications

DEFINITIONS

Family means one or more persons living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities. Members of a "family" need not be related by blood but are distinguished from a group occupying a hotel, club, fraternity or sorority house, or group home.

Group Home means a residential dwelling unit shared as a primary residence by minors, disabled, handicapped or elderly persons, living together as a single housekeeping unit, in a long term, family-like environment in which staff persons provide on-site care, training, or support for the residents.

410.24 Group Home

Group Homes are permitted in all single family districts subject to the requirements provided herein. The purpose of these regulations is to permit minors, disabled, handicapped or elderly persons to reside together in single family residential neighborhoods in compliance with the Fair Housing Act, while preserving the residential character of the neighborhood.

- A. **Registration.** Group Homes with 7 – 10 residents shall submit a completed zoning permit application and required supplemental materials to the Planning Division on a form established by the Zoning Administrator. For Group Homes with 7 -10 residents that are licensed by the state, county or other governmental authority, a tentative zoning permit may be issued upon verifying the application complies with the standards below. Said Group Homes shall be considered to be registered with the city at the time they receive a tentative zoning permit. In all cases, permits for Group Homes shall terminate when the Group Home use ceases.
- B. **Standards.** Group Homes shall be located, developed, and operated in compliance with the following standards:
 - 1. **Occupancy.** The number of residents, excluding staff, shall not exceed
 - a. 1- 6 Residents – No Zoning Permit required.
 - b. 7-10 Residents – A Zoning Permit is required.
 - 2. **Separation.** The minimum separation between Group Homes shall be 1,200 feet, as measured from the closest property lines.
 - 3. **Exterior Appearance.** There shall be no sign or other exterior indication of a Group Home visible from a street. A minimum six foot high wall or fence shall be provided for purposes of screening and securing outdoor recreational areas.

4. ***Compliance with all Applicable Building and Fire Safety Regulations.*** Group Homes shall comply with any and all other applicable state or local requirements including, but not limited to, the City's building and fire codes. These requirements may require safety measures such as fire sprinklers, alarms and monitoring systems depending on such factors as the number of residents and whether the residents are capable of self-preservation.
5. ***Licensing.*** Group Homes shall comply with any and all applicable state licensing requirements.
6. ***Parking.*** Any parking for the group or residential care homes shall be on site and comply with the requirements of Article 407, On-Site Parking and Loading.
7. ***Exclusive Use.*** All administrative activities, including staffing, counseling, and other visitations, shall serve only the residents of the Group Home.
8. ***Pre-Emptions.*** Notwithstanding the foregoing, if the State has adopted laws or rules for the regulation of a specific type of Group Home, then any such State law or rule shall apply in addition to the conditions listed herein and/or shall preempt any conflicting condition listed herein.

C. Request for Accommodation. If a group home owner believes any requirement of the Zoning Code prevents the establishment of a group home in an economically viable manner, the owner shall submit to the Zoning Administrator a written request for accommodation and the reasons why the accommodation is required. The written request shall contain sufficient facts to allow the Zoning Administrator to make an individualized determination of the group home's needs, to address the City's safety and welfare concerns, and to assure compliance with this section. The Zoning Administrator shall review the written request and determine:

1. Whether an accommodation should be made pursuant to the requirements of the Fair Housing Act;
2. If so, the nature of the accommodation taking into consideration the requirements of the Fair Housing Act, public safety and welfare concerns, and the residential character of the neighborhood; and
3. The accommodation shall be made only to the extent necessary to comply with the Fair Housing Act. Profitability or financial hardship of the owner/service provider of a facility shall not be considered by the Zoning Administrator in determining to grant a reasonable accommodation waiver. An appeal of the decision of the Zoning Administrator may be made regarding reasonable accommodation to the Board of Adjustment pursuant to Article 501.