



# Planning Memorandum

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The draft verbiage for the proposed text amendment reads as follow:

That the Zoning Ordinance of the City of Glendale, Arizona, Article 7, Section 7.502 is hereby amended to read as follows:

7.502 - Group Homes.

A residential Home or Building(S) for 6 or more unrelated individuals providing living facilities and sleeping rooms and which also provides limited services, such as, but not limited to meals, services to promote emotional support, life skills development and /or employment training. Adult Care Homes, Juvenile Group Homes, Group Homes for the Disabled, and Supervisory Care Facilities (for purposes of this Section 7.502, such uses are collectively referred to as ("Group Homes")) shall be permitted, provided that:

A. No Group Home is located on a lot within one thousand three hundred twenty (1,320) feet, measured by a straight line in any direction, from the lot line of another Group Home, unless a disability accommodation is authorized under this section:

1. Disability Accommodation

a. A disability accommodation from a development standard or separation requirement shall not be authorized unless the Board of Adjustment shall find upon sufficient evidence all of the following:

i. The requested accommodation is requested by or on the behalf of one (1) or more individuals with a disability protected under federal and Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.);

ii. The requested accommodation is necessary to afford an individual with a disability equal opportunity to use and enjoy a dwelling;

iii. The standard or requirement unduly restricts the opportunity for a person with a disability from finding adequate housing within the City of Glendale;

iv. The requested accommodation does not fundamentally alter the nature and purpose of the Zoning Ordinance of the City of Glendale;

v. The requested accommodation will not impose an undue financial or administrative burden on the City, as "undue financial or administrative burden" is defined in federal and OR Arizona fair housing laws (42 U.S.C. § 3600 et seq. and A.R.S. § 41-1491 et seq.) and interpretive case law;

b. The profitability or financial hardship of the owner/service provider of a facility shall not be considered in determining whether to grant a disability accommodation.

- c. The requested accommodation must comply with all applicable building and fire codes.
- d. The requested accommodation must not, under the specific facts of the application, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.
- e. The requested accommodation shall require submittal of an application, including the required fee, as published in the fee schedule, and comply with all public notification requirements. THE REQUESTED ACCOMMODATION SHALL BE MADE IN ANY FORM. HOWEVER, UPON RECEIPT, THE CITY MAY REQUIRE THE REQUESTOR TO COMPLY WITH THE PROCEDURES ORDINALLY FOLLOWED, INCLUDING THE SUBMITTAL OF AN APPLICATION, INCLUDING THE REQUIRED FEE, AS PUBLISHED IN THE FEE SCHEDULE, AND COMPLY WITH ALL PUBLIC NOTIFICATION REQUIREMENTS.
- B. Where legally required, the Group Home is licensed by, certified by, approved by, registered with, or under contract with a Federal, State, or local government and evidence of such is provided to the Planning Department within sixty (60) days of approval of the Planning Department;
- C. No exterior change which would alter its residential character shall be made to the exterior of the building(s) and the grounds;
- D. The location of the Group Home has been approved by the Planning Department; and
- E. An administrative record of each Group Home shall be maintained with the Planning Department.