

Group Homes for the Disabled (Section 3.8)

3.8.A. Purpose

The purpose of these regulations is to permit disabled **Persons**, as defined by **State** and federal law, to reside in single family residential neighborhoods in compliance with the Fair Housing Act and applicable State law, while preserving the residential character of the neighborhood.

3.8.B. Applicability

1. Zoning Confirmation: Prior to registration, a request for zoning confirmation may be submitted to the Community Development Department to confirm that the proposed location of the group home is permitted under this Section.

2. Additional Requirements of **State** Law: Notwithstanding the foregoing, if the State has adopted laws or rules for the regulation of a specific type of home, such as a Group Home for the developmentally disabled pursuant to A.R.S. § 36-582 or an **Assisted Living Facility** pursuant to A.R.S. Title 36, Chapter 4, then any such State law or rule shall apply in addition to the conditions listed herein and shall preempt any conflicting condition listed herein.

3.8.C. Performance Standards

Group Homes for the Disabled shall be located, developed, and operated in compliance with the following standards:

1. Separation. The minimum separation between group homes shall be 1,200 feet in accordance with A.R.S. § 36-582, as measured from the closest property lines. No separation is required when group homes are separated by a utility **Right-of-Way** of at least 300 feet in width, or by a freeway, arterial **Street**, canal, or railroad.

2. Occupancy. The number of residents, excluding staff, shall not exceed 10.

3. Exterior Appearance. There shall be no sign or other exterior indication of a group home visible from a **Street**.

4. Compliance with all applicable Building, Environmental Health, and Fire Safety Regulations. If a group home has one or more non-ambulatory residents, building code requirements in addition to those applicable to group homes with no non-ambulatory residents, shall apply.

5. Licensing. Group homes shall comply with applicable licensing requirements.

6. Parking. Any parking for the group home shall be on site.

3.8.D. Permits and Administration

1. Permits shall be subject to the standards of **Section 5.1.B**.

2. Property is considered a **Group Home for the Disabled** under this Ordinance after the Coconino County Community Development Department issues a Permit for a Group Home for the Disabled for that property. Only properties serving occupants who fit the definition of Disabled under the Fair Housing Act are eligible for determination as a Group Home for the Disabled.

A. In order to secure a Permit for a Group Home for the Disabled, an application must be submitted on the form prescribed by the Community Development Department. The application must be accompanied by the following: a **Site Plan**, a notarized statement detailing qualifications, copies of applicable licenses, and an affidavit of compliance and other documentation indicating the use of the property as a Group Home for the Disabled as may be required by the Director of the Community Development Department. The **Community Development Director** may require additional information or plans, if they are necessary to enable a determination as to whether the circumstances prescribed for the granting of a **Conditional Use** permit exist. The Community Development Director may authorize omission of any or all of the plans and drawings required by this Section if they are not necessary.

B. The Community Development Department will review the application for administrative completeness within 10 days after submission. The Department will have 30 days after administrative completeness to conduct its substantive review of the application. The total time for the granting or denying of the Certificate of Exemption is 40 days. Time frames are tolled and may be waived in accordance with A.R.S. § 11-1601 et seq.

3. If standards are not met, the home shall be considered a Group Home, Other or Residential Collective Home Use and shall be subject to the provisions of the Zoning Ordinance guiding such an establishments. Status as a **Group Home for the Disabled** is open to review by the Coconino County Community Development Department and may be canceled at any time, with 90-day occupancy notice, upon a determination by the Director that the property is no longer being used for a qualifying purpose or meeting standards laid forth in this Ordinance.