



UNLICENSED GROUP HOMES

Community Meeting No. 2

July 25, 2012



INTRODUCTION

- n Purpose of Meeting
 - Information only/no decisions*
- n Background
- n Research & Outreach
- n Recommendations
- n Opportunities for Questions/Comment
- n Next Steps- process



BACKGROUND

- n How initiated?
- n No regulations for unlicensed group homes
- n Interim moratorium imposed to study laws and determine next steps
- n What is currently addressed/regulated by City?



COMMUNITY MEETING

No. 1 - July 2011

- n Explain types of group homes (licensed and unlicensed)
- n Report-out research on group homes in San Rafael and Marin County
- n Report-out on federal and state laws
- n Identify challenges with regulating (particularly unlicensed)



CURRENT CITY ZONING REGULATIONS

- n Definitions for uses and terms
- n Regulations for Single-family residential zones (including home occupations)
- n Regulations for Residential Care Facilities, Day Care Facilities and Boarding Homes
- n Provisions for "Reasonable Accommodation" (for disabled)



TYPES OF GROUP HOMES

- n Residential Care Facility (small & large)
- n Day Care Facility/Home (small & large)
- n Boarding House
- n Club (fraternity/sorority)
- n Emergency Shelter(temporary/permanent)
- n Transitional and Supportive Housing
- n Sober Living Residence (SLE) and other unlicensed group homes for the disabled



RESEARCH - GROUP HOMES IN SAN RAFAEL (2012)

n Residential Care Facility (small/large)	63
n Day Care Facility/Home (small/large)	41
n Boarding House	1
n Licensed Group Home (adolescent)	1
n Fraternity/Sorority (Clubs)	0
n Other- group homes in residences:	
Associated with licensed treatment program/agency	8
Unlicensed (e.g., SLE)	11



RE-CAP OF INITIAL RESEARCH & FINDINGS

- n Cannot impose zoning regulations on licensed homes with 6 or fewer residents
- n Can impose zoning regulations on licensed homes with 7 or more residents
- n Cannot discriminate "households" or "disabled"
- n Cannot limit occupancy below bldg code
- n Must provide "reasonable accommodation"



REASONABLE ACCOMMODATION

Affirmative duty to modify local zoning requirements when:

- n** Necessary to provide disabled person equal opportunity for home; and
- n** Does not impose undue financial and administrative burden; nor
- n** Fundamentally alter City's zoning



WHAT HAS TRANSPIRED IN THE PAST YEAR?

- n Additional research of laws confirming earlier findings
- n City Council sub-committee formed
- n Efforts of Marin Recovery Project (referral service for SLEs)
- n Studied, considered and tested numerous approaches (no regulation to full regulation)



RECOMMENDATIONS

New and Updated Zoning Definitions

- n Households/Single Housekeeping Unit
- n Residential Support Facility
(large and small)
- n Boarding Houses
- n Disabled



RECOMMENDATIONS

Proposed Regulations

- n "Residential Care Facility" and Residential Support Facility" – treated the same
- n "Small" (6 or fewer residents) = permitted and no zoning regulations
- n "Large" (7 or more residents) = permitted subject to standards



RECOMMENDATIONS

Large Facility - Regulations

- n Establish “house rules” and good neighbor” policies
- n Living areas suitable for residential use as determined by building inspector
- n Compliance with Fire Code + free of hazardous materials
- n Off-street parking



RECOMMENDATIONS

Large Facility – Review Process

- n Administrative + “ministerial” provided standards are met (No public notice)
- n Submittal requirements
- n Cannot comply with standards?
 - ü Application denied or
 - ü Request “reasonable accommodation” if disability is demonstrated



RECOMMENDATIONS

Reasonable Accommodation - Update

- n Update of application submittal requirements
- n Update of findings required to support a decision to grant reasonable accommodation



HOW WOULD REVIEW THE PROCESS WORK?

INITIAL INQUIRY
WHAT IS THE
USE?

Household,
Small Residential
Care or Support
Facility

Large Residential
Care or Support
Facility

Boarding or
Rooming House



HOW WOULD REVIEW PROCESS WORK?

**Household,
Small Residential Care or
Support Facility**

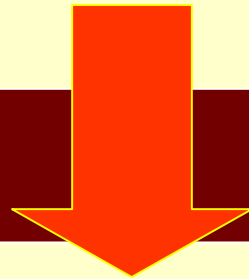


No Further Review or Permits



HOW WOULD REVIEW PROCESS WORK?

**Large Residential Care Facility
Large Residential Support Facility**

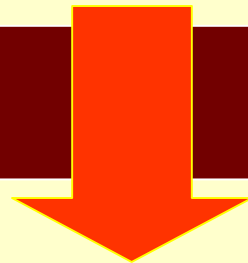


**Administrative Ministerial
Process Compliance with
Standards**



HOW WOULD REVIEW PROCESS WORK?

Boarding or Rooming House



**Conditional Use Permit
Required**



NEXT STEPS & SCHEDULE

Zoning Ordinance Amendments

- n Notice of final draft for public review
 - Sept/Oct 2012
- n Planning Commission hearing
 - Sept/Oct 2012
- n City Council hearing
 - Oct/Nov 2012



QUESTIONS AND COMMENTS

