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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/14/2009 02:02 PM

Senator Altman moved the following:

Senate Amendment

Delete lines 52 - 81

and insert:

(f) "Planned residential community" means a local government-approved, planned unit development having amenities that are designed to serve residents who have developmental disabilities and may contain two or more community residential homes, licensed by the Agency for Persons with Disabilities, which are contiguous to one another.

(2) Homes of six or fewer residents which otherwise meet the definition of a community residential home shall be deemed a



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13 single-family unit and a noncommercial, residential use for the
14 purpose of local laws and ordinances. Such homes of six or fewer
15 ~~residents which otherwise meet the definition of a community~~
16 ~~residential home:~~

17 (a) Shall be allowed in single-family or multifamily zoning
18 without ~~approval by the local government~~ approval if they are,
19 ~~provided that such homes shall not be~~ located within a radius of
20 1,000 feet of another existing ~~such home~~ that has with six or
21 fewer residents. Such homes are ~~with six or fewer residents~~
22 ~~shall not be~~ required to comply with the notification provisions
23 of this section ~~if; provided that,~~ prior to licensure, the
24 sponsoring agency provides the local government with the most
25 recently published data compiled from the licensing entities
26 that identifies all community residential homes within the
27 jurisdictional limits of the local government in which the
28 proposed site is to be located in order to show that no other
29 community residential home is within a radius of 1,000 feet of
30 the proposed home ~~with six or fewer residents~~. At the time of
31 home occupancy, the sponsoring agency must notify the local
32 government that the home is licensed by the licensing entity.

33 (b) If located within a planned residential community, do
34 not require local government approval regardless of their
35 proximity to each other. This subsection does not limit the
36 authority of a local government to approve or deny a planned
37 unit development.