



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A
Staff Report: Z-TA-5-10
June 8, 2011

Planning Commission Hearing Date: June 8, 2011

Proposal: Text amendment to Chapter 2, Section 202 (Definitions) and Chapter 6, Section 608.C (Residence Districts) of the Zoning Ordinance to allow Supportive Living Facilities in R-3, R-3A, R-4, R-5 and R-4A Multi-Family Residence Districts for developmentally disabled persons

Location: Citywide

Applicant/Representative: City of Phoenix Planning Commission

Staff Recommendation: Approval. Subject to the following changes as proposed in Attachment A

Additional information: Staff sent the proposed text amendment language to local non-profits that provide services to the developmentally disabled community for additional feedback. These groups suggested minor clean-up changes and brief clarification to the proposed language. Staff is supportive of the changes and recommends approval per this addendum.

Writer

M. Thornton

6-8-11

MD

Attachments

Attachment A (modified)

ATTACHMENT A
Staff Proposed Language

Amend Chapter 2, Section 202 (Definitions) by adding the following new definitions in correct alphabetical order to read as follows:

DEVELOPMENTAL DISABILITY: A STRONGLY DEMONSTRATED POTENTIAL THAT A PERSON IS DEVELOPMENTALLY DISABLED OR WILL BECOME DEVELOPMENTALLY DISABLED, AS DETERMINED BY APPROPRIATE TESTING THAT:

1. IS ATTRIBUTABLE TO COGNITIVE DISABILITY, CEREBRAL PALSY, EPILEPSY OR AUTISM.
2. IS MANIFESTED BEFORE AGE EIGHTEEN.
3. IS LIKELY TO CONTINUE INDEFINITELY.
4. RESULTS IN SUBSTANTIAL FUNCTIONAL LIMITATIONS IN THREE OR MORE OF THE FOLLOWING AREAS OF MAJOR LIFE ACTIVITY:
 - a. SELF-CARE.
 - b. RECEPTIVE AND EXPRESSIVE LANGUAGE.
 - c. LEARNING.
 - d. MOBILITY.
 - e. SELF-DIRECTION.
 - f. CAPACITY FOR INDEPENDENT LIVING.
 - g. ECONOMIC SELF-SUFFICIENCY.
5. REFLECTS THE NEED FOR A COMBINATION AND SEQUENCE OF INDIVIDUALLY PLANNED OR COORDINATED SPECIAL, INTERDISCIPLINARY OR GENERIC CARE, TREATMENT OR OTHER SERVICES THAT ARE OF LIFELONG OR EXTENDED DURATION.
6. DEVELOPMENTALLY DISABLED SHALL NOT INCLUDE CURRENT ILLEGAL USE OF OR ADDICTION TO A CONTROLLED SUBSTANCE [AS DEFINED IN SECTION 102 OF THE CONTROLLED SUBSTANCE ACT (21 UNITED STATES CODE 802)].

SERVICE PROVIDER: AN ORGANIZATION REGISTERED/LICENSED WITH THE STATE DEPARTMENT OF HEALTH SERVICES THAT PROVIDES ONGOING SUPPORT TO DEVELOPMENTALLY DISABLED PERSONS.

SUPPORTIVE LIVING FACILITIES: DWELLING UNITS COORDINATED BY A SERVICE PROVIDER TO CONDUCT ONGOING SUPPORT FOR DEVELOPMENTALLY DISABLED PERSONS. ~~AS DEFINED BY THE ARIZONA REVISED STATUTES TITLE 36.~~ **THE DWELLING UNITS ARE NOT REQUIRED TO BE OWNED BY THE SERVICE PROVIDER.**

Amend Chapter 6, Section 608.C (Residence Districts) by adding a new paragraph 20 to read as follows:

20. SUPPORTIVE LIVING FACILITIES SHALL BE PERMITTED IN THE R-3, R-3A, R-4, R-5, R-4A MULTIPLE-FAMILY RESIDENCE DISTRICT. SUBJECT TO THE FOLLOWING:
 - a. SUPPORTIVE LIVING FACILITIES SHALL BE SUBJECT TO THE FOLOWING LIMITATIONS:
 1. COMMUNITY MEALS SHALL BE PERMITTED ON SITE IN A COMMON AREA FOR RESIDENTS AND THEIR GUESTS ONLY.
 2. PHYSICAL THERAPY, VOCATIONAL TRAINING AND COUNSELING SHALL BE PERMITTED ON SITE FOR RESIDENTS ONLY.
 3. THERE SHALL BE NO SIGNAGE FOR THE FACILITY.
 4. **THE FACILITY SHALL REGISTER REGISTRATION** WITH THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - b. THE DURATION OF STAYS MAY BE LESS THAN 30 DAYS FOR THE RESIDENT TRANSITION TO INDEPENDENT LIVING.
