

DATE: June 5, 2018

TO: Greg Harrison, City Manager

VIA: David Recor, Development Services Director 

FROM: Jennifer Gomez, Assistant Development Services Director 

RE: Memo #18-199 Revisions to Community Residence and Recovery
Community Ordinance

Since the first reading of the ordinance, staff has received feedback and suggested changes on the ordinance. Most revisions are simple grammatical preferences, scrivener's errors or clarifying words and do not affect the substance of the ordinance. The more significant refinements are to the definition and/or procedures associated with Recovery Communities, Lawful Special Exceptions, and Reasonable Accommodation.

A description of each change is below and corrected within the cleaned up enclosed ordinance. Staff is requesting the Commission consider the second reading with the following revisions:

- Page 13 & 15 - Specified the simple majority vote required for Special Exception approvals is of the Board members present (as opposed to total # of board members)
- Page 15 - Added the word "only" for clarity
- Page 16- Corrected an erroneous reference to single family zoning districts and corrected to two-family zoning districts.
- Page 19 - Added a specification stating that to continue operating as a Lawful Special Exception, the maximum number of residents in a community residence and/or recovery community may not exceed the rental housing code or the number authorized under the community residence's state certification, whichever is less
- Page 22-25 - Replaced the City Manager with the Development Services Director as the decision maker on Reasonable Accommodation applications. Replaced the City Commission with the Special Magistrate as the entity to review appeals on Reasonable Accommodation requests. Also specified procedures for appeals.
- Page 26 - Added the word "rental" for clarity
- Page 26 - Removed duplicative references to Community Residences
- Page 35- Reordered a statement within the paragraph for clarity

- Page 44 - Added the word "only" for clarity
- Page 45 - Removed a duplicative "and"
- Page 47 - Definition of recovery community refined to specify it is within a single multi-family structure
- Page 48- Rephrased two statements for clarification and grammatical preference
- Page 52- Changed the location of the word "may" for grammatical preference
- Page 52-53 - Revised to reference a community residence or recovery community (as opposed to business)
- Page 58-59 - Definition of Oxford House replaced with a more precise definition of the use.
- Page 59 - The definition of recovery community refined to specify it is within a single multi-family structure