

CHAPTER 11

SUPPLEMENTARY REGULATIONS

10-11-19: RESIDENTIAL FACILITY FOR DISABLED PERSONS:

A. Definitions: As used in this section:

DISABLED PERSON: A person who has severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood.

RESIDENTIAL FACILITY FOR DISABLED PERSONS: One-family, two-family or multiple-family dwelling units, consistent with existing zoning of the desired location, that are occupied on a twenty-four (24) hour basis by eight (8) or fewer disabled persons in a family type arrangement under supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Utah department of human services and is operated by or operated under contract with that department.

- B. Conditional Approval in Residential Zones: An application for a residential facility for disabled persons in any residential zone in the city shall follow the procedures for conditional use permits (see chapter 12 of this title). A conditional use permit for such a facility shall be granted by the planning commission upon demonstration that the facility will meet the following conditions:
1. The facility meets all municipal building, safety, and health ordinances applicable to similar dwelling.
 2. The operator of the facility will provide for twenty-four (24) hour supervision of the residents of the facility.
 3. The operator of the facility establishes a community advisory committee through which all complaints and concerns of neighbors may be addressed.
 4. The operator of the facility provides adequate off-street parking, as determined by the planning commission.
 5. The facility be capable of use as a residential facility for disabled persons without structural or landscaping alterations that would change the structure's residential character.
 6. No such facility exists within three-fourths ($3/4$) mile of another residential facility for disabled persons.
- C. Termination: A permit for a residential facility for disabled persons under this section is nontransferable and terminates if the structure is devoted to a use other than such a facility. A permit also terminates if the facility fails to comply with any of the provisions of this section or fails to meet the applicable state statutes and/or regulations of the state department of human services. (Ord. 2004-08, 11-6-2004)