

Gibbons, Julie

From: Dendinger, Gerald
Sent: Monday, June 13, 2022 5:19 PM
To: Gibbons, Julie; Gibbons, Thomas
Subject: FW: Zoning and Planning Committee Meeting, June 15, Group Living Text Amendment
Attachments: Enclosure redlined edit to Group Living text amendment, 5.6.2022.pdf

From: George Thomas <gthomas@toledofhc.org>
Sent: Monday, June 13, 2022 5:13 PM
To: Hobbs, John <John.Hobbs@toledo.oh.gov>; Cherry, Matt <Matt.Cherry@toledo.oh.gov>; Gadus, Theresa <Theresa.Gadus@toledo.oh.gov>; Williams, Vanice <Vanice.Williams@toledo.oh.gov>; Melden, Sam <Sam.Melden@toledo.oh.gov>; Morris, Theresa <Theresa.Morris@toledo.oh.gov>; Grim, Michele <Michele.Grim@toledo.oh.gov>; Komives, Nick <Nick.Komives@toledo.oh.gov>; McPherson, Cerssandra <Cerssandra.McPherson@toledo.oh.gov>; Moline, Katie <Katie.Moline@toledo.oh.gov>; Whitman, Tiffany <Tiffany.Whitman@toledo.oh.gov>; Sarantou, George <George.Sarantou@toledo.oh.gov>
Cc: Dendinger, Gerald <Gerald.Dendinger@toledo.oh.gov>; Sarah Jenkins <sarahjenkins@toledofhc.org>; Marie Flannery <mariemflannery@toledofhc.org>; Manor, David <dmanor@ablelaw.org>; Scott Sylak <ssylak@lcmhrsb.oh.gov>; Katherine Hunt Thomas <kthomas@abilitycenter.org>; Vera Mendoza <vmendoza@abilitycenter.org>
Subject: Zoning and Planning Committee Meeting, June 15, Group Living Text Amendment

Good afternoon Councilmembers,

Looking ahead to the Zoning Committee Meeting this Wednesday, it is our understanding that the agenda will include a proposed text amendment to the City's zoning code regarding group living. This proposed text amendment represents a very important change impacting opportunities for housing throughout our community.

With other area agencies, such as the Ability Center of Greater Toledo, we ask that City Council please improve the text amendment further before voting to adopt it. Attached, please find redlined changes to the text amendment that we will request at the hearing on Wednesday. At the hearing, we will explain in detail why we believe the proposed text amendment should be improved before final adoption.

In the meantime, if you would like to touch base on this issue, we would be happy to discuss. To arrange a time, you may reach Ms. Sarah Jenkins at sarahjenkins@toledofhc.org, or 419-243-6163, ext. 123.

Sincerely,

George Thomas

Vice President and General Counsel

The Fair Housing Center

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Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Residential																	
Household Living																	
Detached House	P	P	P	P	P	-	P	-	-	-	-	-	-	-	-	-	-
Detached House, Zero Lot Line	-	-	P [1]	P [1]	P [1]	-	P [1]	-	-	-	-	-	-	-	-	-	-
Attached House	-	-	-	P [2]	P [2]	-	P [2]	-	P [2]	-	-	P [2]	-	-	-	-	-
Duplex	-	-	-	P	P	-	P	-	-	-	-	-	-	-	-	-	-
Cluster Housing	S [3]	S [3]	S [3]	S [3]	-	-	-	-	-	-	-	-	-	-	-	-	-
Manufactured Housing Park	-	-	-	-	-	P [4]	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
Multi-Dwelling Structure	-	-	-	-	P [5]	-	P [5,6]	P [5,6]	P [5,7]	P [5,6]	P [5,6]	P [5]	-	-	-	-	P
Adult Foster Home	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-
Certified Foster Home	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	P
Group Living																	
Group Home, Small	P [8]	P [8]	P [8]	P [8]	P [8]	-	P [6,8]	-	P [8]	-	P [6,8]	-	-	-	-	-	-
Group Home, Large	-	-	-	-	P [8]	-	P [6,8,9]	-	P [8,9]	-	P [6,8]	P [6,8]	-	-	-	-	-
Halfway House	-	-	-	-	-	-	-	-	S [8, 27]	-	S [8, 27]	S [8, 27]	-	-	-	-	-
Nursing Home	-	S [9]	S [9]	S [9]	S [9]	-	P [9]	-	P [9]	P [9]	P [9]	P [9]	-	-	-	-	-
Group Rental	P [9,10]	P [9,10]	P [9,10]	P [9,10]	P [9,10]	-	P [10]	-	P [10]	P [10]	P [10]	P [10]	-	-	-	-	-
Homeless Shelter	-	-	-	-	-	-	-	-	S [8]	S [8]	S [8]	S [8]	-	-	-	-	-

[6] Dwelling units must be located above ground floor

[8] Spacing

[9] Major Street

Existing Code Section

1104.1000| Group Living and Day Care - Spacing

1104.1001 Group living facilities, Type A Family Day Care Home and Nonresidential Drug and Alcohol Centers that are subject to this spacing requirement Section in the Use Table of Sec. 1104.0100, must be at least 500 feet from a site with any other Group Living facility, Type A Family Day Care Home, and Nonresidential Drug and Alcohol Center that is also subject to this spacing requirement.

1104.1002 In no case may more than one facility subject to this Section be located on the same block.

1104.1003 Halfway houses must be at least 2,000 feet away from other halfway houses.

1104.1004 Drug and Alcohol Residential Facilities and Drug and Alcohol Treatment Centers, Nonresidential must be at least 1,000 feet away from other Drug and Alcohol Treatment Centers.

- A. Facilities permitted by right shall request a letter from the Plan Commission indicating the location is properly zoned and not in violation of spacing requirements. If a spacing violation exists, a facility may request approval through the Special Use Permit process.
- B. Facilities requiring a Special use Permit shall be forwarded to the Mental Health and Recovery Service Board of Lucas County for an opportunity to provide input as part of the review process.

Proposed Code Section

1104.1000| Group Living and Day Care - Spacing

1104.1001 Group living facilities and Type A Family Day Care Home that are subject to this spacing requirement Section in the Use Table of Sec. 1104.0100, must be at least 500 feet from a site with any other Group Living facility and Type A Family Day Care Home, that is also subject to this spacing requirement.

1104.1002 In no case may more than one facility subject to this Section be located on the same block.

1104.1003 Halfway houses must be at least 2,000 feet away from other halfway houses.

1104.1004 These spacing requirements do not apply to Group Home, Small and Group Home, Large, except that:

A. Any such facility licensed by the Department of Mental Health and Addition Services under O.R.C. 5119 must be at least 500 feet from and not on the same block as a facility with that license.

B. Any Group Home, Large facility licensed by the Ohio Department of Developmental Disabilities under ORC. 5123 must be at least 500 feet from and not on the same block as a facility with that license.

1104.1005~~4~~ Group Living facilities permitted by right shall request a Certificate of Zoning Compliance from the Division of Building Inspections indicating the location is properly zoned and not in violation of spacing requirements. If a spacing violation exists, or if the

proposed facility is not located on a major street as required, a facility may request approval through the Special Use Permit process.