



Office of the City Clerk
Legislative Reference Bureau

Ronald D. Leonhardt
City Clerk

Barry J. Zalben
Manager

January 29, 2003

To the Honorable Committee on
Zoning, Neighborhoods & Development

Dear Committee Members:

On January 29, 2003, the Zoning Code Technical Committee held a hearing on File Number 970230, Substitute 2, an ordinance relating to notification requirements for board of zoning appeals hearings on special use permits for correctional facilities and community living arrangements and to restrictions on the issuance of special use permits for such facilities. The Committee reviewed the proposed ordinance for legality, enforceability, administrative efficiency and consistency with the zoning code. The Committee expressed legal concerns about the provision in the proposed ordinance that no "special use permit for a community living arrangement or correctional facility shall be granted whenever the board receives a written petition of opposition signed by owners of 20% or more of the land within 100 feet of the facility" and thus recommended that this ordinance be placed on file.

Sincerely,


Teodros W. Medhin, Ph.D., Chair
Zoning Code Technical Committee

cc: Ald. Henningsen
Ald. Gordon
Barry Zalben
John Hyslop
Tom Gartner
Jeff Osterman
Greg Patin
Harry Stein
Marty Collins
Clifton Crump
Stuart Mukamal