

November 1, 2005

To the Honorable Common Council  
Zoning, Neighborhoods and  
Development Committee  
City of Milwaukee

Dear Committee Members:

File No. 050295 is a substitute ordinance relating to zoning requirements for group homes and community living arrangements.

Wisconsin Statutes requires that, prior to the initial licensure of a residential care center, group home, community living arrangement or a community-based residential facility by the Wisconsin Department of Health and Family Services, the license applicant shall make a good-faith effort to establish a "community advisory committee" consisting of representatives from the proposed group home or the child welfare agency that intends to operate the residential care center, the neighborhood in which the proposed facility will be located and a local unit of government. This committee shall provide a forum for communication for those persons interested in the proposed facility and shall continue in existence after licensure to make recommendations to the licensee regarding the impact of the facility on the neighborhood.

This ordinance also adds a limited use standard for a small group shelter care facility, group home or community living arrangement requiring that the Department of City Development receive notification from the State of Wisconsin of application for licensure of the facility before the Department will issue a certificate of occupancy.

This ordinance further provides that, in a situation where an group home, community living arrangement or shelter care facility is classified by the zoning code as a special use, the Board of Zoning Appeals shall not grant a special use permit unless it finds, in addition to the standard findings for a special use, that the Department of City Development has received notification from the State of Wisconsin of application for licensure of the facility and, in the case of a group home or community living arrangement, that the license applicant has complied with the provisions of s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable.

The Zoning Code Technical Committee reviewed this ordinance on September 14, 2005.

The committee found that the proposed substitute ordinance met the required standards for legality, enforceability, administrative efficiency and consistency with the zoning code.

Since this amendment will improve the administrative process through the Board of Zoning Appeals as well as improving neighborhood communications, the city plan commission at its regular meeting of October 31, 2005, recommended that common council approve the attached substitute ordinance.

Sincerely,

Rocky Marcoux  
Executive Secretary  
City Plan Commission of Milwaukee

File

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