



## Legislation Details (With Text)

**File #:** 020310 **Version:** 1

**Type:** Ordinance **Status:** Passed

**File created:** 6/4/2002 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

**On agenda:** **Final action:** 8/1/2002

**Effective date:**

**Title:** A substitute ordinance relating to zoning regulations for transitional living facilities.

**Sponsors:** ALD. PRATT

**Indexes:** HOUSING, ZONING

**Attachments:** 1. Letter from ZCTC.PDF, 2. CPC letter.pdf

| Date      | Ver. | Action By                                     | Action                    | Result | Tally |
|-----------|------|---|---------------------------|--------|-------|
| 6/4/2002  | 0    | COMMON COUNCIL                                | ASSIGNED TO               |        |       |
| 6/6/2002  |      | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | REFERRED TO               |        |       |
| 6/21/2002 | 0    | CITY CLERK                                    | PUBLISHED                 |        |       |
| 7/1/2002  | 0    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 7/2/2002  | 0    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 7/2/2002  | 1    | CITY CLERK                                    | DRAFT SUBMITTED           |        |       |
| 7/10/2002 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HELD TO CALL OF THE CHAIR | Pass   | 3:0   |
| 7/22/2002 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 7/22/2002 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT      |        |       |
| 7/30/2002 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE   | Pass   | 5:0   |
| 8/1/2002  | 1    | COMMON COUNCIL                                | PASSED                    | Pass   | 17:0  |
| 8/8/2002  | 1    | MAYOR   | SIGNED                    |        |       |
| 8/19/2002 | 1    | CITY CLERK                                    | PUBLISHED                 |        |       |

020310

SUBSTITUTE 1

ALD. PRATT

A substitute ordinance relating to zoning regulations for transitional living facilities.

295-7-179.5 cr

295-123-2-g cr  
295-133-2-i cr  
295-213-2-h cr  
295-313-2-g cr  
295-323-2-g cr  
295-343-2-f cr  
295-413-2-j cr  
295-423-2-i cr  
295-433-2-i cr  
295-443-2-e cr  
295-473-2-b-8 cr

This ordinance defines a "transitional living facility" as:

"A premises, other than a community living arrangement or an adult family home, in which 3 or more adult residents are provided with personal care, treatment or services above the level of room and board but less than nursing care, including but not limited to supervision, monitoring, counseling, transportation or ongoing assistance with personal finances or medications, by a person who provides any of these services under a contractual arrangement."

This ordinance also classifies transitional living facilities as special uses in the 2-family residence, multi-family residence, restricted office, neighborhood shopping, local business, regional shopping, C9A (high density residential), C9B (residential and specialty use), C9C (neighborhood retail), C9D (civic activity) and C9G (mixed activity) zoning districts. Transitional living facilities shall be prohibited uses in all other zoning districts.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-7-179.5 of the code is created to read:

**295-7. Definitions.**

**179.5. TRANSITIONAL LIVING FACILITY:** A premises, other than a community living arrangement or an adult family home, in which 3 or more adult residents are provided with personal care, treatment or services above the level of room and board but less than nursing care, including but not limited to supervision, monitoring, counseling, transportation or ongoing assistance with personal finances or medications, by a person who provides any of these services under a contractual arrangement.

Part 2. Section 295-123-2-g of the code is created to read:

**295-123. Special Uses.**

**2. RESIDENTIAL.**

g. Transitional living facilities.

Part 3. Section 295-133-2-i of the code is created to read:

**295-133. Special Uses.**

2. RESIDENTIAL.

i. Transitional living facilities.

Part 4. Section 295-213-2-h of the code is created to read:

**295-213. Special Uses.**

2. RESIDENTIAL.

h. Transitional living facilities.

Part 5. Section 295-313-2-g of the code is created to read:

**295-313. Special Uses.**

2. RESIDENTIAL.

g. Transitional living facilities.

Part 6. Section 295-323-2-g of the code is created to read:

**295-323. Special Uses.**

2. RESIDENTIAL.

g. Transitional living facilities.

Part 7. Section 295-343-2-f of the code is created to read:

**295-343. Special Uses.**

2. RESIDENTIAL.

f. Transitional living facilities.

Part 8. Section 295-413-2-j of the code is created to read:

**295-413. C9A (High Density Residential): Special Uses.**

2. RESIDENTIAL.

j. Transitional living facilities.

Part 9. Section 295-423-2-i of the code is created to read:

**295-423. C9B (Residential and Specialty Use): Special Uses.**

2. RESIDENTIAL.

i. Transitional living facilities.

Part 10. Section 295-433-2-i of the code is created to read:

**295-433. C9C (Neighborhood Retail): Special Uses.**

**2. RESIDENTIAL.**

i. Transitional living facilities.

Part 11. Section 295-443-2-e of the code is created to read:

**295-443. C9D (Civic Activity): Special Uses.**

**2. RESIDENTIAL.**

e. Transitional living facilities.

Part 12. Section 295-473-2-b-8 of the code is created to read:

**295-473. C9G (Mixed Activity): Special Uses.**

**2. RESIDENTIAL.**

b-8. Transitional living facilities.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau  
Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney  
Date: \_\_\_\_\_

LRB02170-2  
JDO  
07/02/02