

BOARD OF COUNTY COMMISSIONERS OF UINTAH COUNTY, UTAH

**ORDINANCE NO. 06-15-2009, 01
GROUP HOMES**

**AN ORDINANCE AMENDING TITLE 17, "ZONING" CHAPTER 17.136
"GROUP HOME" IN THE UINTAH COUNTY CODE;**

Chapter 17.136 Group Home

Section 17.136.010 Definition

Group home is defined as any combination of residences, dwellings or other structures utilized for the domicile, residence or sleeping accommodation of more than three children of the age of 18 years or less for more than one week where such children are not related within three degrees of consanguinity to the adult persons occupying the same residence or premises.

Section 17.136.020 Authorization

Group homes will be permitted only upon the granting of a Conditional Use Permit by the Land Use Authority. The approval of a Conditional Use authorizing a group home is transferable to other operators providing there is a review of condition(s) between the planning director and the new owner(s) and the approval of a new business license by Uintah County. Further, purchasing parties must demonstrate compliance with all required state and federal licensing requirements.

1. No more than twenty (20) youth shall be housed at any one facility at a time.
2. Youth must be between the ages of ten (10) and eighteen (18) to be residents of the group home.
3. Group homes in Uintah County are for youth who are not subject to the custody of Juvenile Justice Services or an equivalent system in another state. Counseling (therapy) must be provided a minimum of once weekly and should include one-on-one therapy, family therapy, and group therapy as needed.
4. Group homes may be allowed as a conditional use in the RA-1, A-1, and MG-1 zones with a minimum of five (5) acres and the RFM zone with a minimum of ten (10) acres.
5. The minimum separation requirement between Group Homes shall be one (1) mile.
6. Group home facilities shall have one parking space for each employee, plus one half (1/2) parking space per each potential resident, up to 12 residents, for visitors.
7. These requirements do not supersede any Federal, State, or County regulation with stricter requirements.

Section 17.136.030 Application

All applications for a Group home Facility must contain the following information, and no application will be considered complete which does not contain the following:

1. Name and address of the applicant (property Owner).
2. Statement of ownership of the subject property executed by the owner or owner's agent. If owner is represented by an agent they must have a signed, notarized affidavit from the property owner giving permission to use the property as described in the application.
3. Description of the property, including a legal description and address, and common means of identification.
4. Map of the boundaries of the parcel and each separate lot or parcel within three hundred feet of the exterior boundaries thereof, together with a list of the names and addresses of the last known owners of public record of each parcel.
5. A statement indicating the precise manner of compliance with each of the applicable provisions of this ordinance.
6. A statement from the appropriate regulatory agency concerning availability of public utilities including culinary and irrigation water (including appropriate fire protection), power, sewage disposal and refuse disposal.
7. A detailed written description of the anticipated ages and total number of occupants of the facility, together with a diagram of the facility including all separate rooms and the intended use of each room.
8. A detailed description of the number of intended staff and job descriptions for such staff.
9. A statement demonstrating the capability of the applicant, through liability insurance or other means (with Uintah County named as an additional insured), to insure timely restitution to any member of the public suffering damage as a result of intentional or negligent conduct by members of the staff or residents of the facility. Said insurance shall be in an amount not less than that recommended by the County's insurance carrier.
10. A statement demonstrating compliance with all required state and federal licensing requirements and copies of such licenses.
11. Police background check, which shall include Utah BCI, NCIC and III reports, demonstrating all criminal convictions or pleas of nolo contendere except those which have been legally expunged.

Section 17.136.040 Conditional Use Permit

The Planning Commission may grant the Conditional Use Permit provided that it has established that the proposed use is in accordance with the provisions of Section 17.76 of this title.

Section 4 Effective Date This ordinance shall take effect, fifteen (15) days after enactment, and after depositing of a copy in the Clerk-Auditor's Office and publication in a newspaper having general circulation in the County, as required by Utah Code Annotated section 17-53-208.

ENACTED this the Fifteenth (15th) day of June, 2009