

1ST READING:
7/13/90
REFERRED TO (NAME OF) COMMITTEE:
Z&P
PUBLIC HEARING:
1/4/91
2ND READING AND FINAL PASSAGE:
5-10-91

91-Or- 094

## AN ORDINANCE of the CITY OF MINNEAPOLIS

Scott, Coyle and  
Sayles Belton

presents the following ordinance:

Amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances  
relating to Zoning Code: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 522.40 of the above-entitled ordinance be amended by deleting and adding definitions in alphabetical sequence to read as follows:

**522.40. Definitions.** As used in the zoning code, the following words and phrases shall mean:

Board and care facility, boarding care home. A boarding house where limited nursing supervision or care is provided to the residents. ONE STRUCTURE ON ONE ZONING LOT WHERE ONE OR MORE PERSONS WHO ARE NOT CAPABLE OF SELF-PRESERVATION RECEIVES PERSONAL OR CUSTODIAL CARE (ASSISTANCE WITH BATHING, DRESSING, AND SUPERVISION). THESE FACILITIES ARE LICENSED BY THE MINNESOTA DEPARTMENT OF HEALTH.

Boarding house, bBoard and lodging house FACILITY. A LODGING ESTABLISHMENT LICENSED BY THE CITY OF MINNEAPOLIS rooming house where meals or meal service is provided AND SERVED FROM THE TABLE to the residents ONLY.

Community-based residential facility. Any facility, public or private, which for gain or otherwise regularly provides one or more persons with twenty-four-hour per day lodging and one of the following: Care, food, training, education, supervision, habilitation, rehabilitation, and/or treatment they need, but which for any reason cannot be furnished in the person's own residence ONE STRUCTURE ON ONE ZONING LOT WHERE ONE OR MORE PERSONS RESIDE ON A TWENTY-FOUR (24) HOUR BASIS UNDER THE CARE AND SUPERVISION OF A PROGRAM LICENSED BY THE MINNESOTA DEPARTMENT OF HUMAN SERVICES.

Community-based residential facilities include, but are not limited to:

(a) Facilities eligible for licensure under Minnesota Statutes, Section 245.812 (department of human services), as the following:

- (1) Child-caring institutions (parts 9545.0900-9545.1090).
- (2) Group homes (parts 9545.1400-9545.1600).
- (3) Mentally retarded (parts 9525.0230-9525.0430).
- (4) Chemically-dependent (parts 9530.2600-9520.0690).
- (5) Adult mentally ill (parts 9520.0500-0520.06).
- (6) Physically handicapped (parts 9570.200-9570.3600).

(b) Facilities eligible for licensure under Minnesota Department of Corrections as community correction facilities.

(c) Facilities providing services as supportive living residences or board and lodging facilities in agreement with Hennepin County.

(d) Facilities operating as a residential treatment program, maternity shelter, group home, supported living services for developmentally disabled persons, and battered persons' shelters. It does not include:

- (1) Prisons and jails.
- (2) Facilities owned by the United States, the State of Minnesota or its political subdivisions.
- (3) Public or private hospitals, including treatment programs within the hospital unit.
- (4) Nursing, convalescent, board and care homes with less than twenty-five (25) per cent of its bed space available to persons with mental illness or for the detoxification of six (6) or more persons, as defined by Minnesota Department of Health.
- (5) Family and group foster home.
- (6) Day care facilities.
- (7) Congregate housing.
- (8) Specialized home care.
- (9) Rectories and convents.
- (10) Semi-independent living services.
- (11) Out-patient treatment facilities.

COMMUNITY CORRECTIONAL FACILITY. ONE STRUCTURE ON ONE ZONING LOT WHERE ONE OR MORE PERSONS PLACED BY THE COURT, COURT SERVICES DEPARTMENT, PAROLE AUTHORITY, OR OTHER CORRECTIONAL AGENCY HAVING DISPOSITIONAL POWER OVER A PERSON CHARGED WITH OR CONVICTED OF A CRIME OR ADJUDICATED DELINQUENT RESIDE ON A TWENTY-FOUR (24) HOUR PER DAY BASIS UNDER THE CARE AND SUPERVISION OF THE DEPARTMENT OF CORRECTIONS OR HENNEPIN COUNTY AND/OR LICENSED BY THE DEPARTMENT OF CORRECTIONS AS A CORRECTIONAL FACILITY, EXCLUDING PRISONS AND JAILS.

Convalescent, nursing or rest home. A home for aged, chronically ill, or incurable persons LICENSED BY THE MINNESOTA DEPARTMENT OF HEALTH PROVIDING NURSING CARE AND RELATED MEDICAL SERVICES. in which two (2) or more persons not of the immediate family are received, kept, or provided with food and shelter or care for compensation but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases, or mental illness. A convalescent, nursing or rest home shall be considered a "community-based residential facility" when it devotes twenty-five (25) per cent or more of its beds to persons with mental health or mental illness problems or for detoxification, whenever such number of persons is six (6) or greater.

EMERGENCY HOUSING FACILITY. ONE STRUCTURE ON ONE ZONING LOT WHERE PERSONS WHO DO NOT HAVE PERMANENT HOUSING LIVE ON A TWENTY-FOUR (24) HOUR PER DAY BASIS FOR THIRTY (30) OR FEWER DAYS UNTIL PERMANENT ARRANGEMENTS CAN BE MADE.

HOSPICE. A STRUCTURE ON ONE ZONING LOT WHERE CARE IS PROVIDED TO TERMINALLY ILL PERSONS BY STAFF PERSONS LICENSED AS HEALTH CARE PROVIDERS BY THE MINNESOTA DEPARTMENT OF HEALTH.

OVERNIGHT SHELTER. A STRUCTURE ON ONE ZONING LOT PROVIDING TEMPORARY HOUSING FOR A PERIOD OF TIME NOT TO EXCEED FOURTEEN (14) HOURS WITHIN A TWENTY-FOUR (24) HOUR PERIOD TO PERSONS WITHOUT PERMANENT HOUSING.

Post-residential treatment program: A time-limited therapeutic nonresidential program located within a community-based residential IN A facility serving clients who have successfully completed all phases of the residential program.

SHELTERS FOR BATTERED PERSONS. A STRUCTURE ON ONE ZONING LOT WHERE PERSONS WHO HAVE EXPERIENCED PHYSICAL OR PSYCHOLOGICAL ABUSE RESIDE ON A TWENTY-FOUR (24) HOUR PER DAY BASIS FOR A PERIOD OF TIME THAT GENERALLY DOES NOT EXCEED THIRTY (30) DAYS AND ARE SERVED BY A PROGRAM CERTIFIED BY THE MINNESOTA DEPARTMENT OF CORRECTIONS.

TRANSITIONAL HOUSING. A STRUCTURE ON ONE ZONING LOT WITH DWELLING UNITS OR ROOMING UNITS WHERE PERSONS WHO MAY OR MAY NOT HAVE ACCESS TO TRADITIONAL OR PERMANENT HOUSING BUT WHO ARE CAPABLE OF LIVING INDEPENDENTLY WITHIN A TWO YEAR PERIOD RESIDE ON A TWENTY-FOUR (24) HOUR PER DAY BASIS FOR AT LEAST THIRTY (30) DAYS AND PARTICIPATE IN APPROPRIATE PROGRAM ACTIVITIES DESIGNED TO FACILITATE INDEPENDENT LIVING.

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Dziedzic		X					Scallon			X			
Campbell	X						Niemiec	X					
Hilary	X						Cramer	X					
Rainville		X					Schulstad			X			
Cherryhomes	X						Johnson	X					
Coyle	X						President	X					
Scott	X						Sayles Belton	X					

PASSED MAY 10 1991 DATE APPROVED NOT APPROVED VETOED May 16, 1991 DATE

*Shawn Sayles Belton*  
PRESIDENT OF COUNCIL

MAYOR

ATTEST *Mona Kerge*  
CITY CLERK