

CITY OF TROY

AN ORDINANCE TO AMEND
CHAPTER 39 OF THE CODE
OF THE CITY OF TROY
CITY COUNCIL PUBLIC HEARING DRAFT

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 39, Zoning Ordinance, of the Code of the City of Troy.

Section 2. Amendment

Chapter 39 of the Code of the City of Troy is amended as follows

Add the following definition to Section 2.02 DEFINITIONS:

SOBER LIVING FACILITY: A temporary residential living arrangement for seven (7) or more adult persons leaving an institutional setting recovering from drug or alcohol addiction and in need of a supportive living arrangement in order to readjust to living outside the institution. These are persons who are receiving therapy and counseling from licensed or certified professional staff and trained non-professional or paraprofessional support staff who are present when residents are present, to help them recuperate from the effects of drug or alcohol addiction. Sober living facility may provide limited supportive services to residents only, including: mental health services; clinical rehabilitation services; social services; financial management services; legal services; and other similar supportive services. Residency is limited to a specific number of weeks or months, typically 24 months or less. This definition does not constitute halfway houses for those released from prison or a homeless situation.

Add the following to Section 4.21 SCHEDULE OF USE REGULATIONS:

Institutional

	R1A- R1E	RT	MR	UR	MHP	CF	EP	CB	GB	IB	O	OM	RC	PV	P
<u>Sober Living Facilities</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>S</u>	<u>NP</u>	<u>NP</u>	<u>NP</u>

Add Section 6.33 to read as follows:

SECTION 6.33 SOBER LIVING FACILITIES:

- A. Sober Living Facilities serving six (6) persons or less. A Sober Living Facility serving six (6) persons or less shall be considered a single-family use of property.
- B. Sober Living Facilities serving seven (7) or more adult persons.
 - 1. All residents shall be eighteen (18) years of age or older.
 - 2. Frontage on either a major or minor arterial street shall be required.
 - 3. Appropriate licenses with the State of Michigan shall be maintained.
 - 4. The subject parcel shall meet the minimum lot area requirements for the zoning district in which it is located provided there is a minimum site area of twenty-five hundred (2,500) square feet per adult, excluding employees and/or caregivers.
 - 5. Facilities may include ancillary facilities such as multi-purpose recreational rooms and meeting rooms.

Add the following to Table 13.06-A to read as follows:

Institutional and Places of Gathering

<u>Sober Living Facilities</u>	<u>1 space for each 1 per bed and 1 space per employee and/or caregiver at largest shift</u>
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Section 3. Savings

All proceedings pending, and all rights and liabilities existing, acquired or incurred, at the time this Ordinance takes effect, are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this penal regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

Section 5. Effective Date

This amendment to the Zoning Ordinance shall take effect seven (7) days after publication, which shall be published within 15 days of adoption, as required the Michigan Zoning Enabling Act (Act 110 of 2006).

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the _____ day of _____, 2013.

Dane Slater, Mayor

Aileen Bittner, City Clerk