

(C) "PUBLIC GROUP HOME" MEANS A GROUP HOME THAT IS OWNED BY OR LEASED TO THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE, WHETHER OR NOT THIS GROUP HOME IS MAINTAINED AND OPERATED BY A PRIVATE, NONPROFIT PERSON.

7-603.

(A) THIS SECTION APPLIES ONLY TO PUBLIC GROUP HOMES, NONPROFIT PRIVATE GROUP HOMES, AND ALTERNATIVE LIVING UNITS.

(B) (1) TO AVOID DISCRIMINATION IN HOUSING AND TO AFFORD A NATURAL, RESIDENTIAL SETTING, A GROUP HOME OR AN ALTERNATIVE LIVING UNIT FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITY:

(I) IS DEEMED CONCLUSIVELY A SINGLE-FAMILY DWELLING;

(II) IS PERMITTED TO LOCATE IN ALL RESIDENTIAL ZONES; AND

(III) MAY NOT BE SUBJECT TO ANY SPECIAL EXCEPTION, CONDITIONAL USE PERMIT, OR PROCEDURE THAT DIFFERS FROM THAT REQUIRED FOR A SINGLE-FAMILY DWELLING.

(2) THE PROVISION OF SEPARATELY IDENTIFIED LIVING QUARTERS FOR STAFF MAY NOT AFFECT THE CONCLUSIVE DESIGNATION AS A SINGLE-FAMILY DWELLING UNDER PARAGRAPH (1)(1) OF THIS SUBSECTION.

(3) A GENERAL ZONING ORDINANCE, RULE, OR REGULATION OF ANY POLITICAL SUBDIVISION THAT CONFLICTS WITH THE PROVISIONS OF THIS SECTION OR ANY RULE OR ANY REGULATION THAT CARRIES OUT THE PURPOSE OF THIS SECTION IS SUPERSEDED BY THIS SECTION TO THE EXTENT OF ANY CONFLICT.

PART II. PUBLIC GROUP HOMES.

7-604.

(A) THE SECRETARY SHALL, IN ACCORDANCE WITH THE STATE PLAN ESTABLISHED UNDER SUBTITLE 3 OF THIS TITLE, DETERMINE THE NEED, IF ANY, FOR 1 OR MORE PUBLIC GROUP HOMES FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITY IN EACH COUNTY OR MULTICOUNTY REGION OF THIS STATE.

(B) IN MAKING THE DETERMINATION, THE SECRETARY SHALL CONSULT WITH THE FOLLOWING:

- (1) THE GOVERNING BODY OF EACH COUNTY;
- (2) THE STATE BOARD OF EDUCATION;
- (3) COUNTY BOARDS OF EDUCATION;
- (4) CONSUMER GROUPS; AND