

**16-08-070 Approval of Handicapped Residential Facilities.**

1. Upon application for a permit to establish a residential facility for handicapped persons in any area where residential dwellings are allowed, except an area zoned to permit exclusively single-family dwellings, the county may decide only whether or not the residential facility for handicapped persons conforms to ordinances adopted by the county under this part.
  - a. If the county determines that the residential facility for handicapped persons complies with those ordinances, it shall grant the requested permit to that facility.
2. The use granted and permitted by this section is nontransferable and terminates if the structure is devoted to a use other than a residential facility for handicapped persons or if the structure fails to comply with the ordinances adopted under this part.
3. If a county has not adopted ordinances under this part at the time an application for a permit to establish a residential facility for handicapped persons is made, the county shall grant the permit if it is established that the criteria set forth in this part have been met by the facility.