

(1) Approval of the proposed private group home FOR MENTALLY RETARDED INDIVIDUALS would serve to accommodate [mentally retarded] THOSE individuals;

(2) A public group home FOR MENTALLY RETARDED INDIVIDUALS is not available currently to meet the need;

(3) The applicant is a proper person to receive the certificate of approval;

(4) The proposed private group home is appropriate for the stated purpose;

(5) The PROPOSED private group home meets or, on completion, will meet the requirements that the Director adopts under this subtitle; and

(6) The PROPOSED private group home meets or, on completion, will meet all general zoning requirements that apply to the site and that relate to:

(i) The height and size of any buildings that are involved;

(ii) The land that may be covered or occupied;

(iii) The size of yards that require open space;

(iv) The density of population; and

(v) The use of any land and buildings.

(b) (1) This subsection applies only to a private group home FOR MENTALLY RETARDED INDIVIDUALS that a nonprofit person operates.

(2) To avoid discrimination in housing and to afford a natural, residential setting, a private group home FOR MENTALLY RETARDED INDIVIDUALS:

(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 of similar density in the same zone.