



AGENDA OF THE GREEN BAY PLAN COMMISSION

MONDAY, AUGUST 9, 2021, 6:00 PM
Virtual Meeting. Public may join via Zoom.

A. Zoom Meeting Information.

1. This item contains documents which provide call in information and instructions for the Zoom meeting.

B. Roll Call.

1. Members: Lisa Hanson - Chair, Jacob Miller - Vice-Chair, Ald. Veronica Corpus-Dax, Sidney Bremer, Derius Daniels, Autumn Linsmeier, and Ken Rovinski.

C. Approval of the Agenda.

1. Approval of the Agenda for the August 9, 2021, meeting of the Green Bay Plan Commission.

D. Approval of Minutes.

1. Approval of the minutes from the July 26, 2021, meeting of the Green Bay Plan Commission.

E. Regular Business.

1. (CPA 18-04) Public Hearing on a request to amend the Comprehensive Plan for the property located in the 1420 Block of S. Huron Road from Business Park to Medium and High Density Housing and Business Park to Wetland & Private Open Space (Figure 22-6) (Ald. V. Corpus-Dax, District 2).
2. (CPA 18-04) Consideration with possible action on a request to amend the Comprehensive Plan for the property located in the 1420 Block of South Huron Road from Business Park to Medium and High Density Housing and Business Park to Wetland & Private Open Space (Figure 22-6) (Ald. V. Corpus-Dax, District 2).
3. (ZP 21-20) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a duplex (R1) district located at the corner of 3105 Sandstone Court and 1413 Sandstone Place, submitted by Bart Rynish, The Barton Corporation, property owner (Ald. J. Brunette,

District 12).

4. (ZP 21-20) Consideration with possible action on a request to authorize authorize a Conditional Use Permit (CUP) for a duplex (R1) district located at the corner of 3105 Sandstone Court and 1413 Sandstone Place, submitted by Bart Rynish, The Barton Corporation, property owner (Ald. J. Brunette, District 12).
5. (ZP 21-21) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a school addition for NEW Lutheran High School located at 1311 S. Robinson Avenue, submitted by Chris Nelson, N.E.W. Lutheran High School, property owner (Ald. V. Corpus-Dax, District 2).
6. (ZP 21-21) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for a school addition for NEW Lutheran High School located at 1311 S. Robinson Avenue, submitted by Chris Nelson, N.E.W. Lutheran High School, property owner (Ald. V. Corpus-Dax, District 2).
7. (ZP 21-22) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) District at 315 S. Jefferson Street, submitted by Cheryl Detrick, Newcap, Inc., George A. Thorne/Gordon Mullen, property owners (Ald. R. Scannell, District 7).
8. (ZP 21-22) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) District at 315 S. Jefferson Street, submitted by Cheryl Detrick, Newcap, Inc., George A. Thorne/Gordon Mullen, property owners (Ald. R. Scannell, District 7).
9. (ZP 21-23) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a dormitory use in an Office/Residential (OR) District at 932 Cherry Street, submitted by Cheryl Detrick, Newcap, Inc., NAMI Brown County, Inc, property owner (Ald. R. Scannell, District 7).
10. (ZP 21-23) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for a dormitory use in an Office/Residential (OR) District at 932 Cherry Street, submitted by Cheryl Detrick, Newcap, Inc., NAMI Brown County, Inc, property owner (Ald. R. Scannell, District 7).
11. (TA 21-05) Consideration with possible action on the review of updates to Article XVIII. Off-Street Parking, Drives, and Loading, Green Bay Municipal Code.

F. Informational.

1. Director's Report.
2. Date of next meeting: August 30, 2021.

G. Adjournment.

- 1) THIS MEETING IS RECORDED: THE VIDEO OF THIS MEETING AND MINUTES ARE AVAILABLE ONLINE AT www.greenbaywi.gov
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this Plan Commission meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.

Virtual Meeting Instructions



Plan Commission

Zoom Meeting Information

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Password: 483400

One tap mobile

+1 312 626 6799,,841 3767 5822# US (Chicago)

+1 646 876 9923,,841 3767 5822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 841 3767 5822

Password: 483400

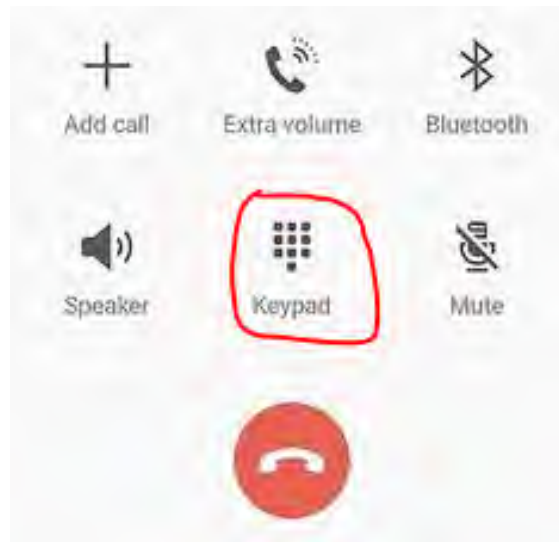
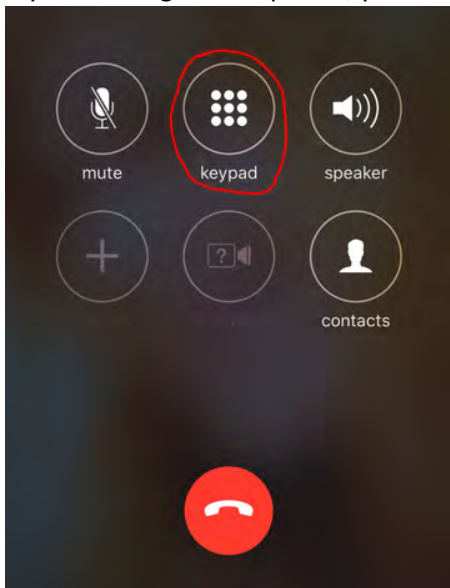
Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZ1FjcmlpWnZlOEVnUT09>

Additional Information

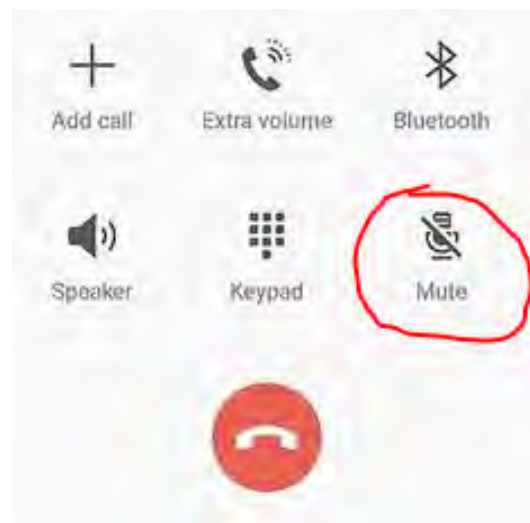
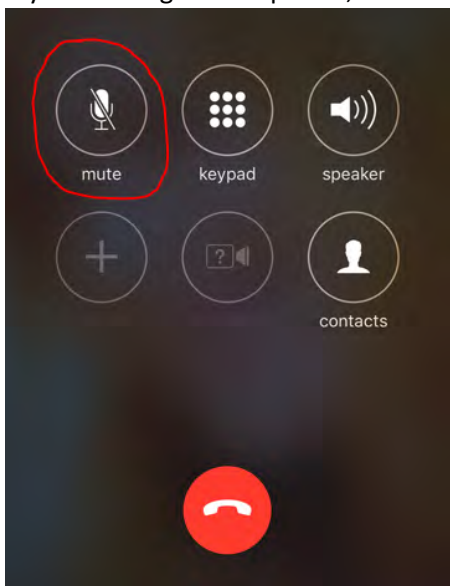
1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
2. All zoom meetings will have a password in the instructions. Please enter when prompted.
3. Please log into the Zoom meeting 10 minutes before the meeting starts to ensure proper technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
4. Once you are in the meeting please mute yourselves.
 - a. You may unmute yourself when you are called upon to speak.
5. Waiting room
 - a. When you call in, all callers/participants will be placed in a “waiting room.”
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting).
6. Using Zoom with a tablet or computer
 - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
 - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
7. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
 - b. If you’re using a phone, your registration will still be tied to an email.
8. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again.
9. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you will be asked to verify your email.
10. Zoom etiquette
 - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
 - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourselves.
11. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching live on YouTube will see a gray screen with the City logo during closed session.
12. Persons interested in listening to the meeting can go to www.youtube.com/CityofGreenBay

Calling into the Zoom meeting using a smartphone

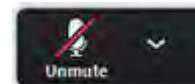
1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
 - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not need to talk, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application





Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.1

(CPA 18-04) Public Hearing on a request to amend the Comprehensive Plan for the property located in the 1420 Block of S. Huron Road from Business Park to Medium and High Density Housing and Business Park to Wetland & Private Open Space (Figure 22-6) (Ald. V. Corpus-Dax, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. CPA 18-04 Class I Public Notification for PC Mtg

For Official Notice:

**Public Notification
Proposed Amendment to the City of Green Bay
Smart Growth 2022 Comprehensive Plan
(CPA 18-04)**

The Green Bay Plan Commission will hold a public hearing on **Monday, August 9, 2021**, at 6:00 p.m. The meeting will be conducted at a virtual location. If you wish to participate in the Public Hearing, you may access the meeting by the internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Password: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

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Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following proposed amendment to the City of Green Bay Smart Growth 2022 Comprehensive Plan (CPA 18-04): A request to amend the Comprehensive Plan for the property located in the 1420 Block of South Huron Road from Business Park to Medium and High Density Housing and Business Park to Wetland & Private Open Space (Figure 22-6). An image depicting the affected area is available in the office of the Dept. of Community and Economic Development for the City of Green Bay.

The proposed comprehensive plan amendment would allow for the future rezoning of the property for multi-family development and preservation of green space.

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Dept. of Community and Economic Development

Attn: Paul Neumeyer

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Paul Neumeyer at (920) 448-3405 or paul.neumeyer@greenbaywi.gov.

ACCESSIBILITY: Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at (920) 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.

Publication Date: July 29, 2021



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.2

(CPA 18-04) Consideration with possible action on a request to amend the Comprehensive Plan for the property located in the 1420 Block of South Huron Road from Business Park to Medium and High Density Housing and Business Park to Wetland & Private Open Space (Figure 22-6) (Ald. V. Corpus-Dax, District 2).

BACKGROUND

Primary Address: 1420 Block South Huron Road

Aldersperson/District: Ald. Veronica Corpus-Dax, District 2

Reason for Request: The proposed comprehensive plan amendment would allow for the future rezoning of the property for multi-family development and preservation of green space.

Surrounding Zoning and Land Uses:

SUBJECT	Rural Residential (C1)	Vacant
NORTH	Planned Unit Development (PUD)	I43 Business Center
SOUTH	Village of Bellevue	Multi-family
EAST	Rural Residential (RR)	Vacant
WEST	Planned Unit Development (PUD)	I43 Business Center

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends Business Park.

Analysis: The parcel is located on the west side of S. Huron Road at the border with the Village of Bellevue. The site is approximately 30 acres in size and is heavily wooded with numerous wetlands on the site with a water course along the southern edge of the parcel. The parcel adjoins the I43 Business Center and has a designation within the Comprehensive Plan as a future Business Park land use.

The proposal for the amendment ultimately includes the creation of three (3) lots. Lot 1 fronting Einstein Way would retain its current Business Park designation and be considered for inclusion into the I43 Business Park at a later date along with a consistent rezoning with the Park. Lot 2, an approximate 15 acre parcel, would front S. Huron Road and would be designed as a Medium and High Density Residential land use for the development of multi-family dwellings. The third lot, Outlot 1, would be amended to Wetland, Private Open Space with a future rezoning to Conservancy to protect the watercourse and related wetlands.

The original application was made in 2018. However, there were several issues to contend with regarding the potential development of the property. Most notably, from a zoning perspective, the amount of wetlands on the subject site. The developer partnered with the City of Green Bay on a wetland delineation in 2019. The wetland delineation was completed and the developer has begun site work to prepare building envelopes mindful of wetlands and wetland buffers.

The amendment also includes a strip of property owned by the City of Green Bay, north of the subject site and under the powerlines. The applicant hopes to acquire the parcel and include it within the proposed multi-family development. Acquisition of the parcel, as well as the outstanding assessment of S. Huron Road, will be addressed as part of a developer's agreement through the Economic Development Authority.

A narrative, lot layout, site plan and building information is attached within this agenda packet as submitted by the applicant.

The *Smart Growth 2022 Comprehensive Plan* establishes the following review criteria for periodic amendments:

1. The change is consistent with the goals and objectives or other elements of *The Smart Growth 2022 Comprehensive Plan*.
 - o Staff feels the proposed amendment is consistent with the goals and objectives of the plan.
2. The change does not create an adverse impact on public facilities and services that cannot be mitigated. Public facilities and services include roads, sewers, water supply, drainage, schools, police, fire, and parks.
 - o The proposed amendment should have no impact on public facilities and services.
3. Development resulting from the change does not create an undue impact on surrounding properties. Such development should be consistent with the physical character of the surrounding neighborhood or would upgrade and improve its viability.
 - o The proposed change in land use would not create a deterrent to the surrounding neighborhood.
4. The change allows a more viable transition to the planned uses on adjacent properties than the current land use.
 - o The proposed amendment provides potential expansion of the Business Park as well as a transitional use with the proposed multi-development and the creation of an Outlot to protect the natural features of the site.
5. The change does not have a significant adverse impact on the natural environment including trees, slopes, and groundwater, or the impact could be mitigated by improvements on the site or in the same vicinity.
 - o A wetland delineation has been completed and buffers have been instituted. Additionally, land use change to Wetland, Public Open Space will allow for a future rezoning to permit a Conservancy zoning to protect natural features of the property.
6. There is a change in City policies or neighborhood characteristics that would justify a change.
 - o Not applicable.
7. The change corrects an error made in the original plan.
 - o Not applicable.
8. There is a community or regional need identified in the Comprehensive Plan for the proposed land use or service.
 - o Not applicable.
9. The change helps the City meet its life-cycle and affordable housing goals.
 - o Not applicable.

10. The change does not adversely impact any landmarks or other historically significant structures or properties unless mitigated through relocation, commemoration, or dedication.
 - o There are no landmarks or historically significant features that are being modified as part of the request.

The Public Participation Plan for Periodic Comprehensive Plan Amendments is being followed for this request and notices have been provided regarding the public hearings for this meeting. Ald. V. Corpus-Dax and neighbors within 400 ft. were noticed of the meeting based on Plan Commission policy.

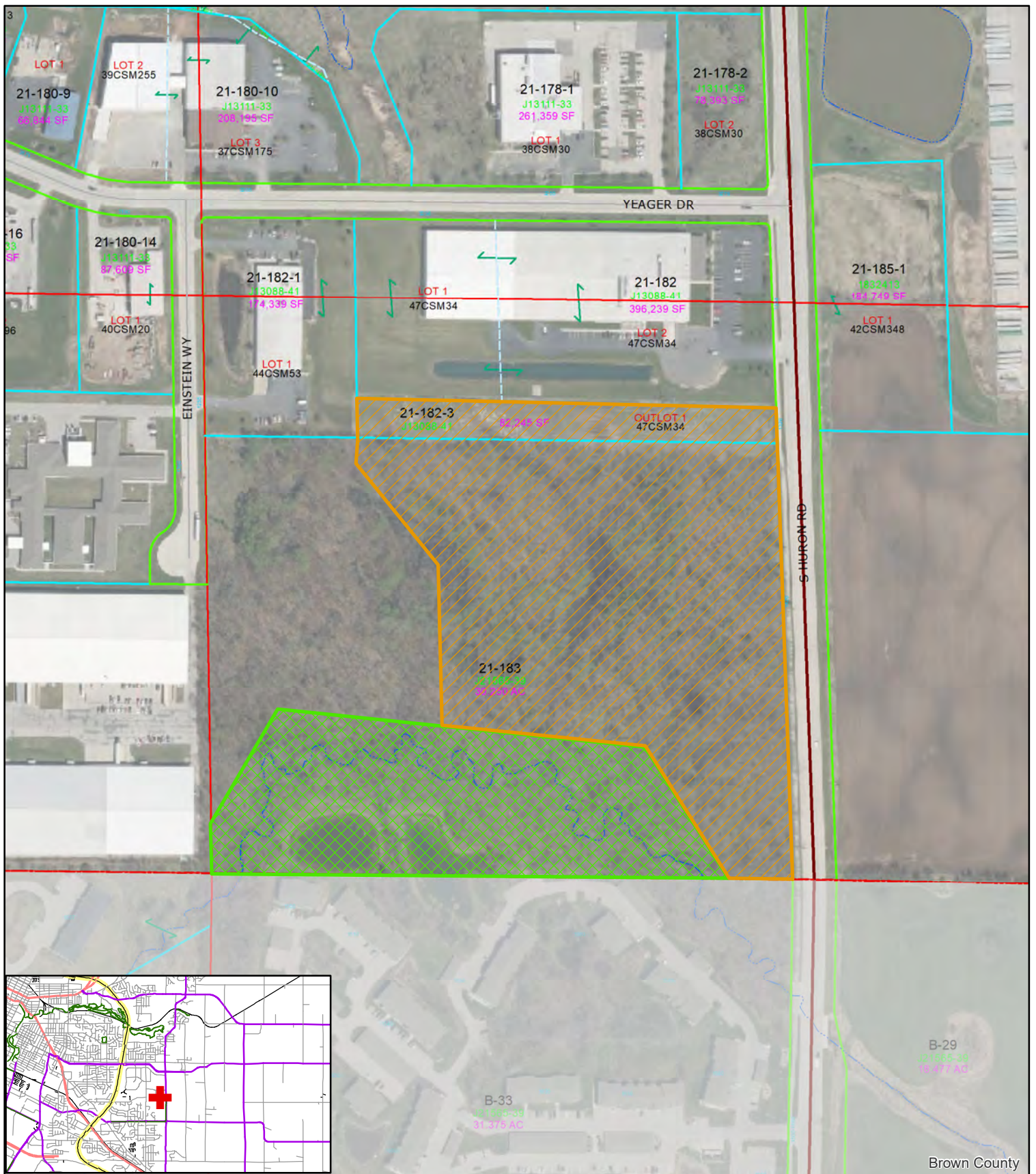
RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

1. CPA 18-04 letter
2. Rezone and Comprehensive Plan Request Packet July 2021



Comprehensive Plan Amendment
(CPA 18-04)
1420 Block South Huron Road

-  Business Park to Medium/High Density Residential
-  Business Park to Wetland & Private Open Space

0 5,000 10,000
Feet



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by PN

Moski Corp Comprehensive Plan Amendment and Rezone Request

1300-1400 Block S Huron Road
Moski Corp and City of Green Bay Parcels
July 20, 2021

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Mau & Associates, LLP.

Land Surveying & Planning - Civil & Water Resource Engineering

400 Security Boulevard, Green Bay, WI 54313

Phone (920) 434-9670 – Fax (920)434-9672

Website: www.mau-associates.com

July 20, 2021

Comprehensive Plan Amendment and Rezone Request

RE: Parcel 21-183 Huron Road (Owned by Moski Corp) and Parcel

After consultation with the city staff, Mau and Associates on behalf of Moski Corp requests a comprehensive plan amendment and rezone request at parcel 21-183. The 30.25 acre property is located along South Huron Road at the City of Green Bay / Village of Bellevue border. Currently, the Green Bay Comprehensive Plan calls for the parcel to be used for Business Park. While the land is adjacent to the I-43 Business Park, the parcel is zoned RR and not apart of the established I-43 Business Park. Physical conditions include numerous wetlands throughout the parcel which separate the parcel into three usage areas.

Future Lot 1: West 9.69 acres. North of creek, west of main swath of wetlands. Access from Einstein Way

Future Lot 2: East 15.84 acres. North of creek, east of main swath of wetlands. Access from Huron Rd.

Future Outlot 1: South 4.73 acres. South of creek. Access from parcel B-33. Storm water ponds for multi-family development owned by Moski Corp at parcel B-33.

This request submits for an amendment of the City of Green Bay Comprehensive Plan for the following:

Lot 1: Remain Business Park

Lot 2: BP to Medium / High Density Housing

Outlot 1: BP to

BAdditionally, this request submits for a rezoning for the following:

Lot 1: Rural Residential (RR) to Light Manufacturing (M) (Independent from I-43 Business Park)

Lot 2: RR to R3

Outlot 1: RR to

The development group believes this request is a benefit to the City and surrounding parcels in part because:

- Relationship to surrounding uses
- Existing conditions within parcel

Additionally, Moski Corp and city staff have been in discussion for years regarding use of the narrow strip of property located underneath the power lines running north-south, just to the north of the Moski property. Moski Corp is in discussions to acquire the property. This property is currently owned by the city but would require a rezone to R3 and comp plan change to Medium-High Density Residential to move forward with the site plan request.

SURROUNDING USES

Moski Corp owns and operates the Huron Grove Apartments at the parcel directly south in Bellevue. The woods and wetland pockets which exist throughout most of parcel 21-183 extend south into the Huron Grove Apartments and are integral part of the physical environment within the community. Kitty corner to the southwest, Gerald and Gloria Bigelow own and operate the Ontario Road Apartments. Built business park environments exist to the west and northwest. A strip of city owned green space (Parcel 21-182-3) exists along most of the northern boundary. Moski Crop has proposed to acquire the Parcel 21-182-3, a 1.89 acre parcel. This land is included with the site plan attached. To the east, existing farmland is across from Huron.

Huron Grove Apartments have been built in a campus like setting over the past decade, to its full build out today. The variety of 8, 9, 12, and 16 unit buildings are woven through the natural landscape between pockets of woods, wetlands, and storm water ponds.

This proposal will be a natural extension of the Huron Grove Apartments, proposing a mix of 8 and 15 unit buildings built in a similar architectural style as the Huron Grove Apartments. The mixture of two story buildings project to be designed with a variety of detached and attached garages.

EXISTING CONDITIONS WITHIN PARCEL

While the parcel size is just over 30 acres, much of the site is encompassed by wetlands. As mentioned, the development group believes this wooded, natural composition would fit well to an extension of the Huron Grove Apartments. However the wetlands in the property do meander and are scattered in small pockets. This greatly limits the full scale for development on the whole of the

parcel; especially larger, light industrial development. Since the property is essentially divided by the creek and wetlands, this proposal seeks to create three new parcels; western property to be proposed to be rezoned to Business Park to market to potential manufacturing use off Einstein in the future.

Wetlands have been delineated within the property. City staff and Moski Corp have engaged in discussions to determine and appropriate offset from the meandering wetlands and placement of buildings off said wetlands have been positioned to meet setback standards. A stormwater pond will be built to accommodate proposed development north of the creek. Dense woodland exist along Huron. Tree cutting has occurred within the property where future improvements can be developed, leaving a linear wooded pathway in front of the majority of the front of the site, less the future drive entrances.

As a result of the location of the wetlands and determined building setbacks, a multi-family conceptual plan has been produced resulting in a mix of 8 and 15 unit apartment buildings located along South Huron Road. The proposed conceptual plan projects 69 units, 181 parking stalls, and additional storm water management pond nestled into the forest. The look and feel of the multi-family development is projected to have a similar feel to that of the Huron Grove Apartments which are also nestled amongst forestland and wetland pockets.

Moreover, Moski Corp and city staff have engaged in discussions to come to an agreement between both parties as to assessment of the property. Future development of the site is contingent upon an agreement between the owner and DPW. As noted, Parcel 2-182-3 is also a matter of engagement between city staff and Moski Corp. CSM execution will also be contingent on finalized agreement between both parties to proceed as proposed.

Respectfully, we request an amendment to the 2002 City of Green Bay Comprehensive Plan for Parcel 21-183 from Business Park to a mixture of Medium/High Density Housing, Wetlands/Park-Open Space and Business Park. We also request a rezone from Rural Residential to a mixture R-3 Varied Density Residential, CON Conservancy and Business Park to allow for future development.

Sincerely

Jon LeRoy

Rezone and Comp Plan Exhibit

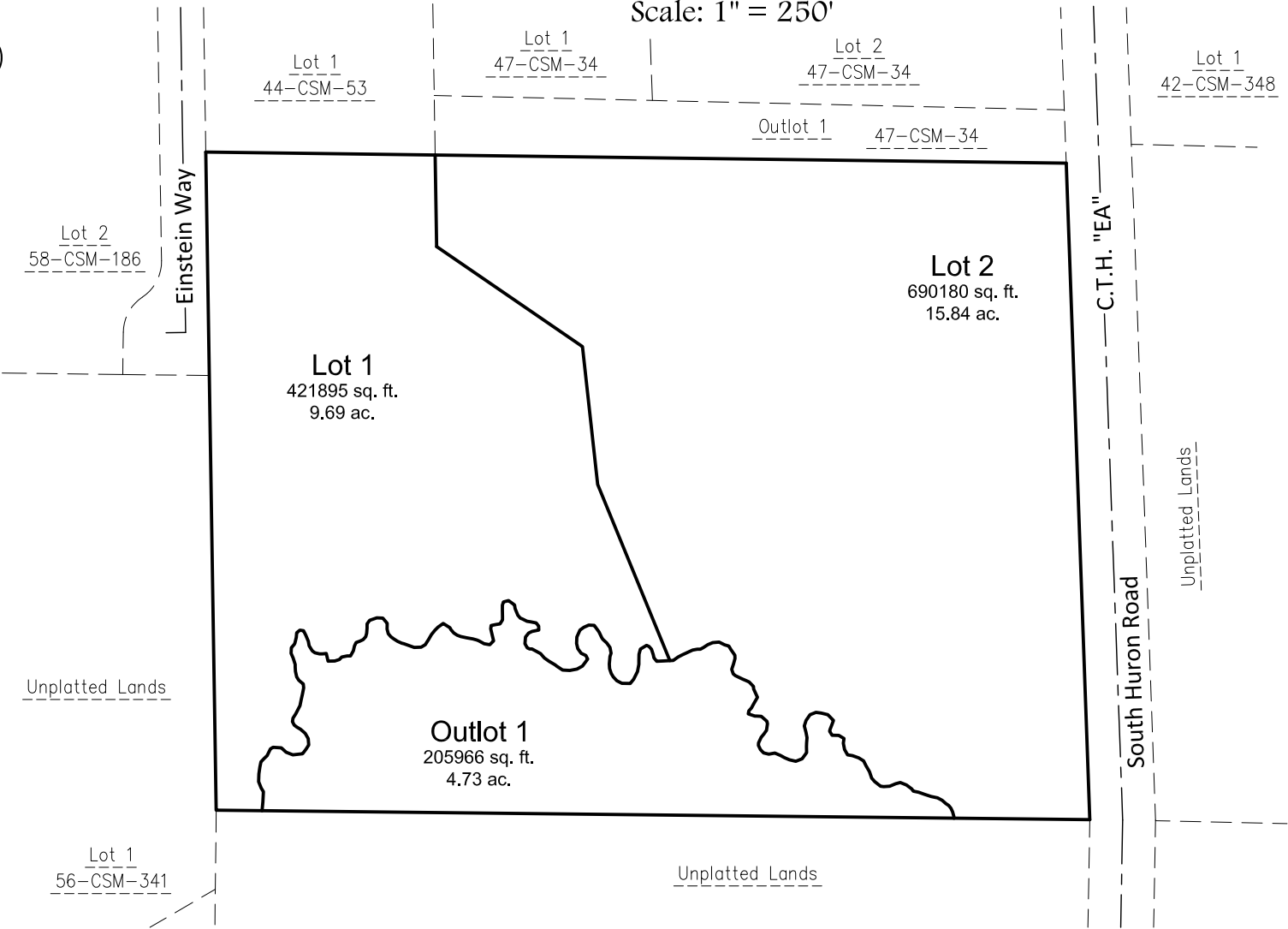
Part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11,
T23N-R21E, in the City of Green Bay, Brown County, Wisconsin

North



0 250 500 750

Scale: 1" = 250'



COMP PLAN AMENDMENT

- LOT 1
BP to BP
(Remain as is)
- LOT 2
BP to MED/HIGH DEN RES
- OUTLOT 1
BP to PARK/OPEN SPACE
- OUTLOT 1 (47-CSM-34)
BP to MED/HIGH DEN RES

REZONE

- LOT 1
RR to BP
- LOT 2
RR to R3
- OUTLOT 1
RR to CON
- OUTLOT 1 (47-CSM-34)
RR to R3

Client: Moski Corp.

Tax Parcel: 21-183
Drafted By: BAR
File: M-4420CSM 052820.dwg
Data File: M-4420A.txt

Mau & Associates, LLP

LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Website: www.mau-associates.com
400 Security Blvd, Green Bay, WI 54313

Sheet One of One

Project No.: M-4420

Drawing No.: RZ COMP

Fieldwork Completed: 09/02/2020

Certified Survey Map

Part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 11,
T23N-R21E, in the City of Green Bay, Brown County, Wisconsin

North



Scale: 1" = 250'



Steven M. Bieda
PLS-2275
May 28, 2020



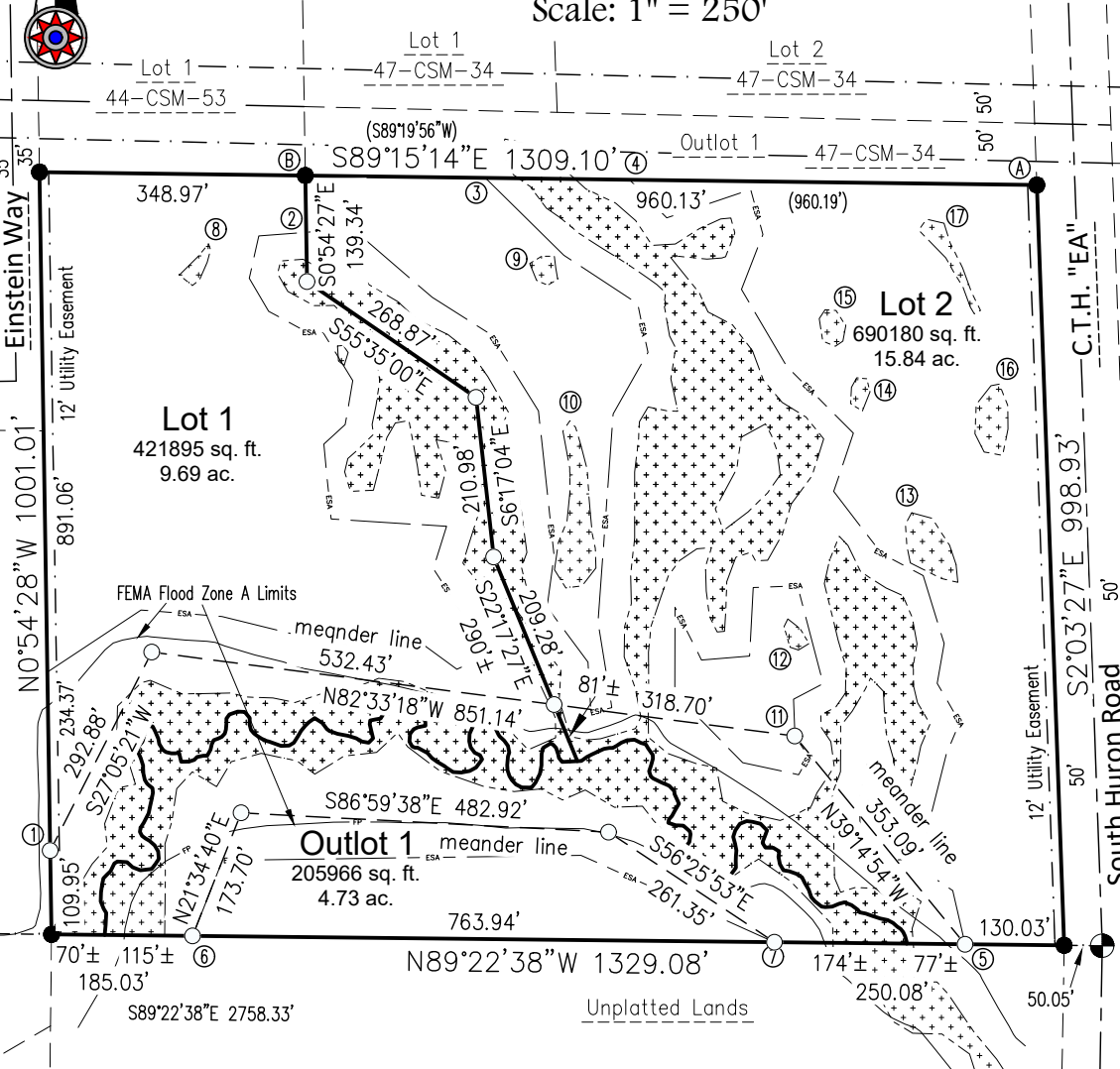
Bearings referenced to the
South line of the Southwest $\frac{1}{4}$
of Section 11, T23N-R21E,
assumed to be N89°22'38"W.

The County Monuments used in
this survey are shown and
their ties have been found and
verified and/or Brown County
Planning and Land Services has
been notified of any
discrepancies.

Unplatted Lands

Southwest corner
Section 11
T23N-R21E
(iron rod found)

Lot 1
56-CSM-341



See Sheet Three for ESA and Wetland boundary line tables

Any land below the ordinary high water mark of a lake or
a navigable stream is subject to the public trust in
navigable waters that is established under article IX,
section 1 of the state constitution.

Floodplain per FEMA FIRM panel 55009C0281F dated August
18, 2009.

Wetlands per WDNR approved delineation by George and
Holdt, dated _____

Front yard setbacks to be verified with the City of Green
Bay prior to construction.

Legend

- 1.32" (o.d.) x 18" iron pipe with
cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊙ Brown County monument
- type noted
- () recorded as bearing / distance
- Wetlands
- - - - - Environmentally Sensitive Area
(ESA) Limits

Unplatted Lands

South $\frac{1}{4}$ corner
Section 11
T23N-R21E
(PK nail found)

Client: Moski Corp.

Tax Parcel: 21-183

Drafted By: BAR

File: M-4420CSM 052820.dwg

Data File: M-4420A.txt

Mau & Associates, LLP

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

Phone: 920-434-9670 Website: www.mau-associates.com

400 Security Blvd, Green Bay, WI 54313

Sheet One of Five

Project No.: M-4420

Drawing No.: L-11094

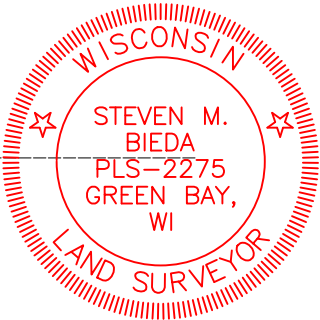
Fieldwork Completed: 09/02/2020

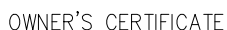


ESA and Wetland Boundary Line Tables

ESA Limits starting at Point 1 N 56° 26' 21" E 147.52 S 85° 26' 39" E 106.73 S 76° 07' 03" E 160.29 N 74° 56' 42" E 83.62 S 53° 44' 00" E 88.87 N 66° 12' 50" E 46.80 N 33° 04' 24" W 135.23 N 17° 27' 41" E 58.27 N 86° 24' 31" W 151.80 N 5° 33' 15" W 98.78 N 47° 37' 46" E 37.98 N 9° 47' 00" E 58.69 N 31° 41' 45" W 74.70 S 89° 28' 06" W 20.56 N 61° 21' 45" W 57.84 N 30° 16' 57" W 50.10 N 12° 42' 51" E 57.02 N 85° 38' 51" E 62.37 (Point 2) Point B to Point 2 S 00° 54' 27" E 74.56 Continuing from Point 2 N 85° 38' 51" E 60.84 S 49° 18' 23" E 138.03 S 57° 35' 53" E 90.95 S 31° 58' 08" E 118.27 S 6° 11' 24" E 190.72 S 7° 41' 43" W 68.54 S 36° 36' 14" E 90.05 S 3° 16' 02" E 66.73 N 76° 15' 11" E 28.26 N 9° 11' 28" W 113.49 N 4° 08' 53" E 274.68 N 29° 32' 14" E 92.67 N 11° 57' 34" W 65.39 N 56° 47' 27" W 115.73 N 45° 25' 52" W 144.88 (Point 3) S 89° 15' 14" E 189.56 (Point 4) S 44° 15' 46" E 69.85 N 71° 19' 44" E 116.22 S 15° 13' 51" E 61.13 S 21° 17' 20" W 77.38 S 30° 24' 37" E 117.11 S 44° 55' 57" E 124.05 S 18° 43' 08" W 80.78 S 37° 34' 54" E 102.79 S 62° 04' 35" E 62.17 S 17° 03' 33" E 93.28 S 10° 01' 03" W 52.99 S 30° 18' 53" E 59.05 S 22° 57' 15" W 45.18 S 14° 00' 47" W 138.08 N 50° 32' 55" W 88.79 N 1° 42' 13" W 63.70 S 13° 20' 43" W 44.35 S 1° 14' 43" E 65.72 S 63° 57' 27" E 38.47 N 88° 13' 28" E 26.13 S 55° 55' 56" E 72.75 S 13° 00' 11" E 72.38 (Point 5)	ESA Limtis starting at Point 6 N 21° 35' 34" E 106.54 N 89° 10' 41" E 470.63 S 65° 48' 53" E 278.5 (Point 7) Point B to Point 8 S 54° 51' 28" W 155.6 Wetland Limits starting at Point 8 S 20° 25' 53" E 8.28 S 14° 58' 15" W 17.09 S 23° 30' 17" W 25.05 S 51° 33' 13" W 12.25 N 51° 29' 00" W 21.86 N 45° 20' 29" E 35.24 N 38° 36' 03" E 21.07 Point B to Point 9 S 68° 35' 05" E 316.36 Wetland Limits starting at Point 9 N 58° 35' 56" E 18.51 S 89° 31' 09" E 16.45 S 6° 47' 25" E 15.42 S 9° 37' 29" E 14.96 S 58° 18' 19" W 15.07 N 67° 09' 13" W 16.1 N 21° 51' 31" W 23.94 Point B to Point 10 S 47° 09' 35" E 473.41 Wetland Limits starting at Point 10 S 40° 26' 49" E 11.68 S 15° 27' 30" E 57.18 S 3° 58' 27" E 53.37 S 5° 12' 36" E 31.43 S 12° 22' 21" E 19.24 S 1° 34' 29" E 26.06 S 37° 39' 32" W 29.69 S 82° 38' 41" W 21.45 N 32° 12' 53" W 28.16 N 8° 08' 55" E 36.16 N 22° 00' 04" E 30.57 N 5° 40' 23" E 39.79 N 0° 59' 18" W 30.15 N 10° 28' 33" W 48.95 N 33° 29' 07" E 16.54 ESA limits starting at Point 11 S 34° 04' 28" E 32.86 S 29° 53' 06" W 27.11 N 77° 57' 09" W 75.04 N 44° 21' 57" W 127.57 N 0° 09' 58" E 113.06 S 26° 36' 37" E 77.54 N 85° 22' 19" E 63.42 N 3° 01' 52" E 90.17 N 87° 42' 19" E 58.07 S 14° 40' 45" E 132.87 S 62° 06' 57" W 43.83 S 2° 00' 38" E 48.34	Point 11 to Point 12 N 3° 09' 01" W 116.80 Wetland limits N 16° 06' 21" W 28.09 N 25° 57' 49" E 11.21 S 52° 04' 47" E 20.16 S 31° 21' 47" E 23.13 S 58° 05' 41" W 16.46 N 71° 11' 48" W 11.71 Point A to Point 13 S 20° 53' 44" W 460.54 Wetland Limits starting at Point 13 S 74° 51' 35" E 27.63 S 33° 01' 38" E 42.24 S 18° 47' 20" E 26.87 S 5° 13' 59" E 23.41 N 76° 58' 31" W 21.36 N 63° 28' 40" W 46.17 N 11° 49' 12" W 22.47 N 3° 54' 18" W 28.90 N 28° 31' 35" E 17.21 Point A to Point 14 S 38° 53' 39" W 348.74 Wetland Limits starting at Point 14 S 21° 35' 26" W 27.15 N 57° 37' 37" W 18.12 N 2° 24' 46" E 21.52 N 29° 01' 06" E 14.16 S 84° 34' 34" E 13.28 S 14° 08' 45" E 17.62 Point A to Point 15 S 58° 00' 10" W 310.76 Wetland Limits starting at Point 15 S 32° 24' 01" E 24.03 S 10° 52' 19" W 20.30 S 55° 25' 57" W 11.88 N 68° 34' 42" W 17.79 N 8° 58' 46" W 30.14 N 33° 02' 14" E 14.00 S 85° 51' 02" E 14.41 Point A to Point 16 S 10° 40' 25" W 266.05 Wetland Limits starting at Point 16 S 21° 39' 59" E 29.69 S 1° 00' 56" E 31.20 S 11° 42' 42" W 35.43 N 79° 26' 16" W 24.53 N 26° 47' 15" W 26.73 N 2° 15' 05" E 38.44 N 38° 13' 27" E 31.37 N 79° 11' 59" E 11.11 Point A to Point 17 S 67° 37' 01" W 131.74 Wetland Limits starting at Point 17 S 17° 10' 47" E 26.89 S 26° 44' 30" E 36.72 S 19° 51' 17" E 33.44 S 26° 14' 10" E 27.41 S 61° 57' 18" W 9.28 N 30° 33' 53" W 10.10 N 20° 14' 29" W 27.83 N 31° 18' 34" W 27.44 N 28° 41' 50" W 17.41 N 44° 27' 34" W 50.83 N 35° 22' 11" E 17.74 S 76° 49' 35" E 23.58
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Steven M. Bieda
PLS-2275
May 28, 2020





In Witness Whereof, the said Moski Corp. has caused these presents to be signed by Paul Kosmoski, it's President on this _____ day of _____, 20____.

My Commission Expires _____

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

CERTIFICATE OF CORPORATE MORTGAGEE

In the presence of:

_____ (Corporate Seal)

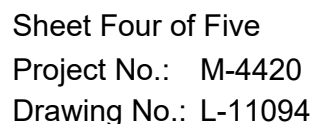
Date _____

Date _____

My Commission Expires _____

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

Steven M. Bieda
PLS-2275
May 28, 2020





NOTES

A Brown County Highway Department access permit must be obtained for Lot 2 prior to any construction of a new street / road connection or driveway to a County Trunk Highway.

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the City has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

Lots 1 and 2 and Outlot 1 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, Brown County Planning Commission, or the City Zoning Administrators Office prior to any development activity.

Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution.

This Certified Survey Map is all of tax parcel number 21-183.

The property owner of record is Moski Corp.

This Certified Survey Map is contained wholly within the property described in Jacket 21565, Image 39, Brown County Records.

City of Green Bay Zoning and Building approvals are required prior to commencing construction of buildings, structures, drives, or parking areas and may also be required prior to commencing grading, excavation, filling, or other land disturbing activities.

Outlot 1 owned and maintained by the development to the South, which the detention ponds that are on this outlot serve.

RESTRICTIVE COVENANTS

The land on all side and rear lot lines of all lots shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.

No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.

Lots 1 and 2 and Outlot 1 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes: wetlands, all land within 35 feet of wetlands 2 acres or greater, floodway, all land within 35 feet of the floodway or 75 feet beyond the ordinary high water mark -whichever is greater, navigable waterways, and all land within 75 feet of the ordinary high water mark of navigable waterways. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by

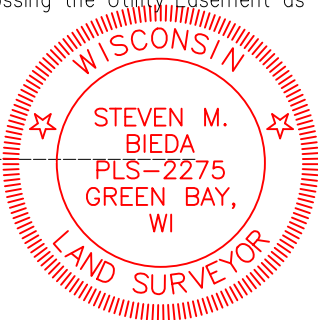
Moski Corp., Grantor, to

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Steven M. Bieda
PLS-2275
July 15, 2020



Future Lot 2: Zoning Request R3

Part of the Southeast ¼ of the Southwest ¼ of Section 11, T23N-R21E, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the South 1/4 corner of Section 11, T23N-R21E; thence N89°22'38"W, 50.05 feet along the South line of the Southwest 1/4 of said Section 11 to the Westerly right of way of County Trunk Highway "EA", also known as South Huron Road and the point of beginning; thence continuing N89°22'38"W, 130.03 to the start of a meander line which is S89°22'38"E, 77 feet more or less from the centerline of the drainageway; thence N39°14'54"W, 353.09 feet along said meander line; thence N82°33'18"W, 318.70 feet to a meander corner which is N22°17'27"W, 81 feet more or less from said centerline of the drainageway and end of said meander line; thence N22°17'27"W, 209.28 feet; thence N6°17'04"W, 210.98 feet; thence N55°35'00"W, 268.87 feet; thence N0°54'27"W, 139.34 feet; thence S89°15'14"E, 960.13 feet along Outlot 1, Volume 47, Certified Survey Map No. 34 to the West right of way of South Huron Road; thence S2°03'27"E, 998.93 feet along said West right of way of South Huron Road to the point of beginning.

Described area contains 690,180 square feet / 15.84 acres more or less, including the lands lying between the meander line and the drainage way.

Future Lot 1, Zoning Request C1

Part of the Southeast ¼ of the Southwest ¼ of Section 11, T23N-R21E, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the South 1/4 corner of Section 11, T23N-R21E; thence N89°22'38"W, 50.05 feet along the South line of the Southwest 1/4 of said Section 11 to the Westerly right of way of County Trunk Highway "EA", also known as South Huron Road; thence N2°03'27"W, 998.93 feet along the West right of way of said South Huron Road; thence N89°15'14"W, 960.13 feet along the South line of Outlot 1, Volume 47, Certified Survey Map No. 34 to the point of beginning; thence S89°15'14"W, 348.97 feet; thence S0°54'28"E, 891.06 feet along the East right of way of Einstein Way and its extension to a meander line which is N0°54'28"W, 109.95 feet from the property corner which is N89°22'38"W, 70 feet more or less from the centerline of a drainageway; thence N27°05'21"E, 292.88 feet along said meander line; thence S82°33'18"E, 532.43 feet to a meander corner which is N22°17'27"W, 81 feet more or less from said centerline of a drainageway and the end of said meander line; thence N22°17'27"W, 209.28 feet; thence N6°17'04"W, 210.98 feet; thence N55°35'00"W, 268.87 feet; thence N0°54'27"W, 139.34 feet to the point of beginning

Described area contains 421,895 square feet / 9.69 acres more or less, including the lands lying between the meander line and the drainage way.

Future Outlot 1, Zoning Request CON

Part of the Southeast ¼ of the Southwest ¼ of Section 11, T23N-R21E, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the South 1/4 corner of Section 11, T23N-R21E; thence N89°22'38"W, 50.05 feet along the South line of the Southwest 1/4 of said Section 11 to the Westerly right of way of County Trunk Highway "EA", also known as South Huron Road; thence N89°22'38"W, 380.11 feet to the point of beginning which is the start of a meander line which is N89°22'38"W, 174 feet more or less from the centerline of a drainageway; thence N56°25'53"W, 261.35 feet along said meander line; thence N86°59'38"W, 482.92 feet along said meander line; thence S21°34'40"W, 173.70 feet to a

point which is S89°22'38"E, 115 feet more or less from the centerline of said drainageway and the end of said meander line; thence S89°22'38"E, 763.94 feet along the South line of said Southwest 1/4 to the point of beginning.

Described area contains 205,966 square feet / 4.73 acres more or less, including the lands lying between the meander line and the drainage way.

Green Bay Currently Owned Parcel 21-182-3 Zoning Request R3

Outlot 1 of 47CSM34 being part of the SE 1/4 of the SW ¼ of Section 11, T23N-R21E, City of Green Bay, Brown County, Wisconsin.

Described area contains 82,245 square feet / 1.89 acres more or less

UNIT SIZE SPECIFICATIONS.

Listed below are the sizes for each of the units in the 8 and 15 unit buildings respectively

The 15 unit specifications are listed below

Unit	SqFt	Bd/Ba
1	925	2/1
2	968	2/2
3	800	2/2
4	807	2/2
5	825	2/1
6	825	2/1
7	880	2/2
8	830	2/2
9	830	2/2
10	850	2/1
11	850	2/1
12	630	1/1
13	600	1/1
14	625	1/1
15	660	1/1

The 8 unit specifications are listed below

Unit	SqFt	Bd/Ba	Den
1	744	1/1	No
2	850	1/1	No
3	1160	2/1	No
4	1020	2/1	No
5	880	1/1	Yes
6	760	1/1	No
7	1200	2/2	Yes
8	1000	2/1	No

UNIT MARKET RATE ESTIMATES

Market rates for the apartments project to vary between \$900 to \$1200 per month in rents.

Project Name: Kosmoski South Huron Rd Apartments – 69 Unit Apartment Addition

Location: 1400 Block South Huron Rd

Developer: Moski Corp

Designer: Engineering: Mau and Associates

Architect: Bay Architects

Project Description

Moski Corp submit plans to allow for the development of 32 units at parcel 21-183 and 21-182-3. These parcel is located directly in north of the existing “Huron Grove” apartment. Site will create 3 driveways to create (3) eight unit apartment buildings and (3) 15 unit apartments buildings as a complement to the existing apartment community located directly south in the Village of Bellevue. Detached garage stalls and surface parking will accompany the buildings.. A storm water pond will be created to accommodate storm water needs for the new development. The storm water pond and existing woodlands will as a central focal feature for the new apartment units. Site design and curbing intended to keep pockets of woodlands and wetlands to exist along South Huron. Residences nestled between woodlands, wetlands, and stormwater pond.

Site Statistics**Gross Square Footage**

Site	32.14 ac.	
Buildings		
Apartment Units	43,985 sf	
Detached Garages	7,777 sf	
Total	51,762 sf	(3.7% of parcel)

Floor Area Ratio

(4) Two-Story Buildings	87,970 sf
Total Single-Story Detached Garages	7,777 sf
Total	95,747 sf
FAR	0.069

Percentage of Impervious Surface

Total new impervious surface	135,905 sf
Percentage	9.7%

Parking Calculations

Total new parking stalls	181 stalls
Parking ratio (181 stalls/ 69units)	2.62 stalls / unit
Detached garage stalls	28 stalls

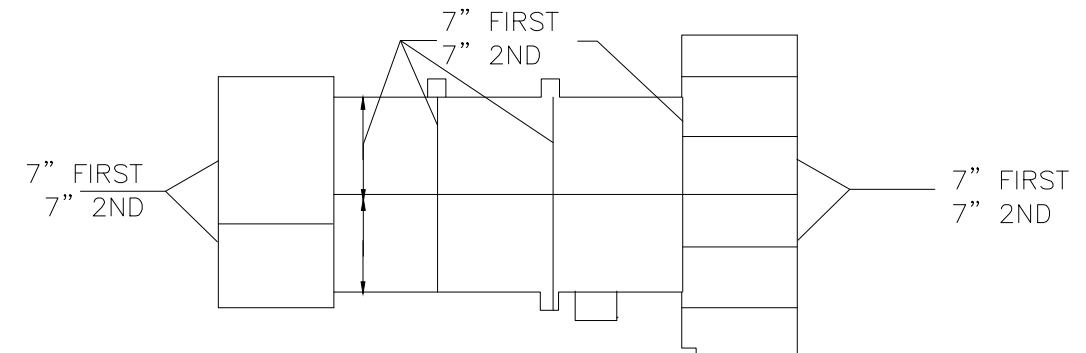
Minimum Parking Requirement

(51) units – 2 bedrooms each (2)
=104

(18) units – 1 bedroom each (1)
=18

(69) units / (4) (one visitor stall per four units)
=18

(104) + (18) +(18)= 140 minimum stalls needed (41 stalls over minimum)



TYPE	DESIGN	DESCRIPTION
1		SEPARATION WALL 1 HOUR FIRE RATED PARTITION UL DES U 30S 2X4 or 2x6 STUDS @ 16" O.C. WITH BATT INSULATION TO CEILING. INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE
2		TYPICAL INTERIOR PARTITION WALL 2X4 STUDS @ 16" O.C. WITH BATT INSULATION (VERIFY W/OWNER) TO CEILING. INSTALL 1/2" GYP. BD. FULL HGT. EA. SIDE TYP. (MRGB ON ALL SIDES OF WALLS EXPOSED TO BATHS) (2x6 STUDS FOR PLUMBING WALLS)
3		TYPICAL EXTERIOR WALL W/BRICK VENEER 2X4 STUDS @ 16" O.C. WITH R-19 BATT INSULATION - INSTALL 1/2" GYP. BD. FULL HGT. INTERIOR SIDE OF WALL. 4 MIL VAPOR BARRIER. EXTERIOR: 4" BRICK VENEER, 7/8" AIR SPACE TYP.VEK BUILDING WRAP ON 1/2" A.P.A. RATED O.S.B. SHEATHING ON STUDS. (USE 2X4 STUDS AT EXT. GARAGE WALLS)
4		SEPARATION WALL 1 HOUR FIRE RATED BARRIER UL DES U 30S 2X4 or 2x6 STUDS @ 16" O.C. - INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE TO UNDERSIDE OF FLOOR TRUSSES
5		TYPICAL EXTERIOR WALL W/BRICK VENEER 2X4 STUDS @ 16" O.C. WITH R-19 BATT INSULATION - INSTALL 1/2" GYP. BD. FULL HGT. INTERIOR SIDE OF WALL. 4 MIL VAPOR BARRIER. EXTERIOR: 4" BRICK VENEER, 7/8" AIR SPACE TYP.VEK BUILDING WRAP ON 1/2" A.P.A. RATED O.S.B. SHEATHING ON STUDS. (USE 2X4 STUDS AT EXT. GARAGE WALLS)
6		TYPICAL INTERIOR PARTITION WALL 5/8" SHEETROCK BRAND FIRECODE C CORE GYPSUM PANEL, 2X4 LOAD BEARING S/CORNERED WOOD STUD @ 16" O.C. - 2X6 PLATE, 3/32" MINERAL WOOL BATT. 5/8" SHEETROCK BRAND FIRECODE C CORE GYPSUM PANEL JOINTS FINISHED. PERIMETER CAULKED-EST. FIRE RATING BASED ON UL DESIGN U30S AND UL DESIGN U340
7		System Performance 1 Hr Fire Test Design No.U340 S4 STC Sound RAL-TL77-149

CARBON MONOXIDE DETECTOR SHALL BE CONNECTED TO BUILDING'S POWER SUPPLY AND HAVE BATTERY BACKUP	
SD	SMOKE DETECTOR PER INTERNATIONAL BUILDING CODE
EF	EXHAUST FAN TO SWITCH, TYP. ALL BATHS
GD	GARAGE DOOR OPENER - VERIFY WITH OWNER
F-1 = 20 MIN. HOUR FIRE DOOR ASSEMBLY WITH SPRING CLOSER HINGES	

WALL TYPES & LEGEND	2
NTS	A101

GENERAL NOTES:	
1. ALL DIMENSIONS ARE TO STUD THICKNESS. OVERALL DIMENSIONS ARE TO OUTSIDE OF STUDS.	
2. ALL DIMENSIONS TO BE HELD CLEAR.	
3. INTERIOR DOORS TO BE LOCATED WITHIN 5'-7" OF CORNER TO ALLOW FOR TRIM. UON	
4. MOISTURE RESISTANT GYP. BD. ON ALL WEI WALLS WHERE APPROPRIATE.	
5. INSULATE ALL PLUMBING WALLS - TYP.	
6. INSTALLATION OF ALL MECHANICAL EQUIPMENT SHALL COMPLY W/ IMC CHAPTER 44.	
7. ALL PENETRATIONS THROUGH REQUIRED FIRE-RESISTIVE ASSEMBLIES SHALL BE PROTECTED PER IBC 711 BY THE CONTRACTOR HAVING SAID PENETRATION.	
8. ALL JOINTS INSTALLED IN OR BETWEEN FIRE RESISTANT RATED WALLS, FLOOR OR FLOOR/CEILING ASSEMBLIES AND ROOFS OR ROOF/CEILING ASSEMBLIES SHALL BE PROTECTED BY APPROVED FIRE RESISTANT JOINT SYSTEMS PER IBC 712. GENERAL CONTRACTOR TO SCHEDULE JOINT PROTECTION PRIOR TO INSTALLATION OF FINISHES.	
9. ALL HEATING EQUIPMENT SHALL BE DIRECT VENTING & SEALED COMBUSTION UNITS. UON I.O.	
10. ALL TOILET ROOM FINISHES TO BE IMPERVIOUS TO WATER.	
GENERAL PLAN NOTES:	
-CARE SHOULD BE TAKEN TO LEAVE EXISTING ITEMS UNDISTURBED AND STILL ACCOMMODATE WORK. EXISTING AREAS TO BE PROTECTED DURING CONSTRUCTION.	
-COORDINATE W/ PLUMBING CONTRACTOR FOR ALL UNDER-SLAB PIPING PRIOR TO POURING SLAB.	
-COORDINATE ALL FLOOR FRAMING WITH PLANNED PLUMBING FIXTURES TO ENSURE DRAINS DO NOT HIT FRAMING MEMBERS. BOX OUT FRAMING WHERE NEEDED.	

GENERAL NOTES	3
NTS	A101

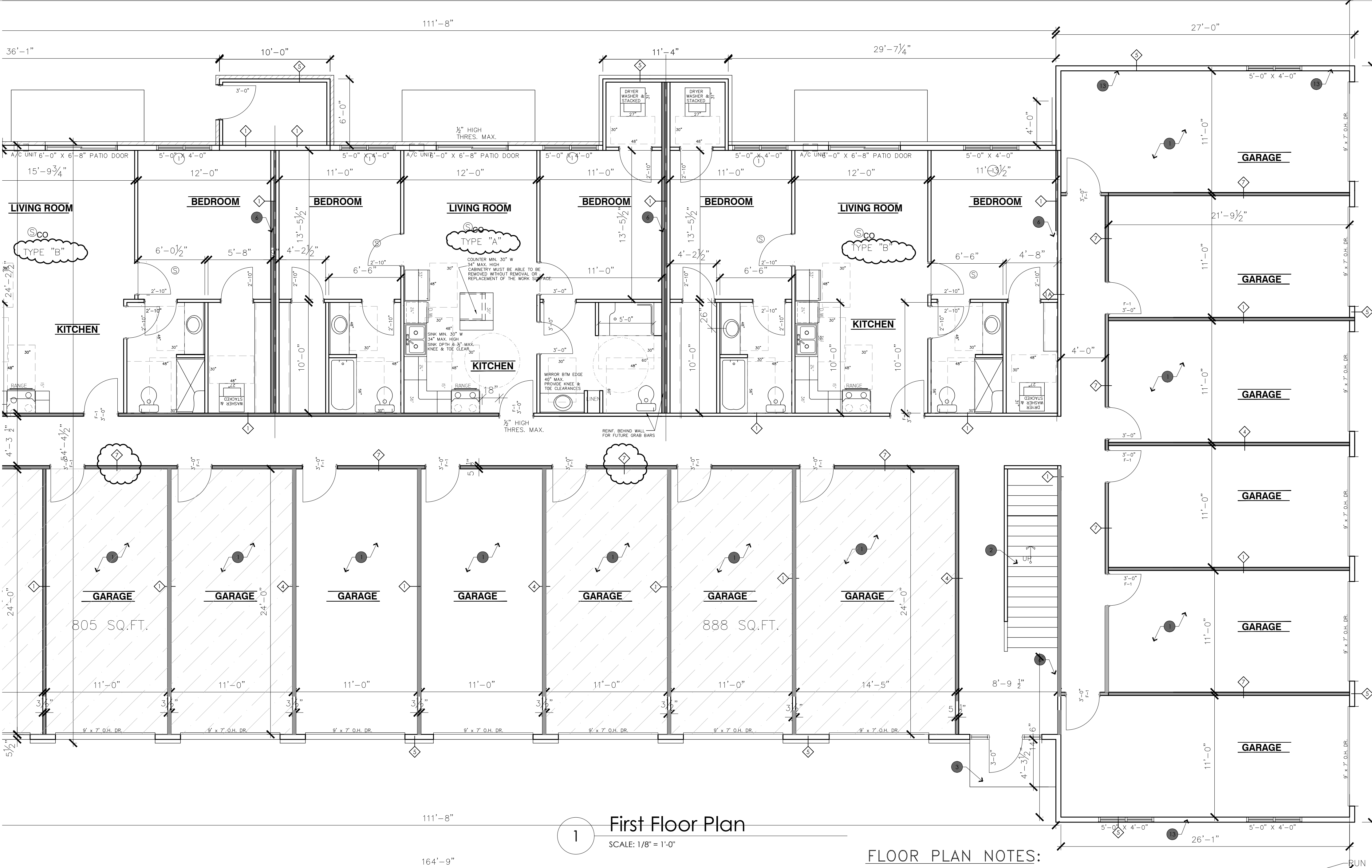
GENERAL PROJECT NOTES:	
-CONSTRUCTION IS TO BE IN COMPLIANCE WITH ALL GOVERNING CODES, ORDINANCES, & STANDARDS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING & SUPERVISING ALL SAFETY PRECAUTIONS & PROGRAMS IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT.	
-HVAC, ELECTRICAL, AND PLUMBING ARE TO BE DESIGN BUILD, COMPLYING W/ ALL LOCAL, STATE, & NATIONAL CODES, AND TO BE THE FULL RESPONSIBILITY OF THE CONTRACTOR. THE DESIGNER ASSUMES NO LIABILITY.	
-ALL HEATING EQUIPMENT TO BE SEALED COMBUSTION TYPE & DIRECT VENTING	
-ALL MECHANICAL, HVAC, ELECTRICAL, AND PLUMBING SYSTEMS & ALL EQUIPMENT TO BE MAINTAINED ACCORDING TO MANUFACTURER'S STANDARDS. BUILDING OWNER AND/OR BUILDING OCCUPANTS ASSUME FULL RESPONSIBILITY FOR MAINTENANCE AND OPERATION	
-ALL MATERIALS, DETAILS & INSTALLATION SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S STANDARDS AND SPECIFICATIONS.	
-ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR LIMITING THE ACCUMULATION OF WASTE MATERIALS AND RUBBISH. WASTE MATERIALS SHALL BE REMOVED FROM THE PREMISES DAILY.	
-DIMENSIONS ARE TO BE FIELD VERIFIED & ADJUSTED ACCORDINGLY. THE DESIGNER SHALL BE NOTIFIED OF ANY VARIANCES BEFORE CONTRACTOR BEGINS OR PROCEEDS WORK.	
-ALL DIMENSIONS ARE FROM ACTUAL FINISHED SURFACES, UON ON THE PLAN.	
ALLOWANCES SHALL BE MADE FOR FLOOR & WALL FINISHES.	

GENERAL PLAN NOTES	4
NTS	A101

- 4" THICK CONC. FLOOR W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY FLOOR DRAIN PLACEMENT WITH OWNER PRIOR TO POURING FLOOR.
- WOOD STAIR W/ 7 1/2" MAX RISE WITH 10" TREADS MIN 1 1/2" DIA. HANDRAIL AT 36" HIGH ABOVE NOBING
- 4" THICK CONC. SLAB W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY PLACEMENT WITH OWNER PRIOR TO POURING SLAB. PITCH OUT.
- 16" X 16" STONE PIER AROUND TREATED WOOD POST- COMPOSITE BOARD FINISH SEE ELEVATIONS & STRUCTURAL
- 22" X 36" ATTIC ACCESS PANEL TYP. INSTALL IN BETWEEN TRUSSES-VERIFY EXACT LOCATION ON SITE.
- PARTY WALL - SEE DETAIL FOR UNIT SEPARATION WALL
- AC UNIT- VERIFY ACTUAL PLACEMENT WITH OWNER PRIOR TO CONSTRUCTION
- WALL NICHE- VERIFY WITH OWNER FOR SIZE AND DETAIL
- PRE-MANUFACTURED ELECTRIC FIREPLACE UNIT
- CATHEDRAL CEILINGS IN SECOND FLOOR UNITS- VERIFY WITH OWNER FOR PITCH
- TREATED WOOD DECK- WITH PLASTIC DECKING AND VINYL GUARDRAILS. VERIFY WITH OWNER. SEE STRUCTURAL FOR DETAILS AND CONSTRUCTION
- 1HR FIRE BARRIER - SEE DETAIL FOR UNIT SEPARATION
- ADD BLOCKING & FASTEN SHEETROCK @ 4" O.C.

KEYED NOTES	5
(THESE NOTES ARE SIMILAR FOR ALL UNITS)	A101

WINDOW SCHEDULE			
WINDOW MARK	SIZE	SILL ELEVATION	REMARKS
1	5'W X 4'H	TBD	SLIDER /DOUBLE PANE, TINTED, LOW-E
2	3'W X 4'H	TBD	SLIDER /DOUBLE PANE, TINTED, LOW-E
—	—	—	—



1 First Floor Plan
SCALE: 1/8" = 1'-0"

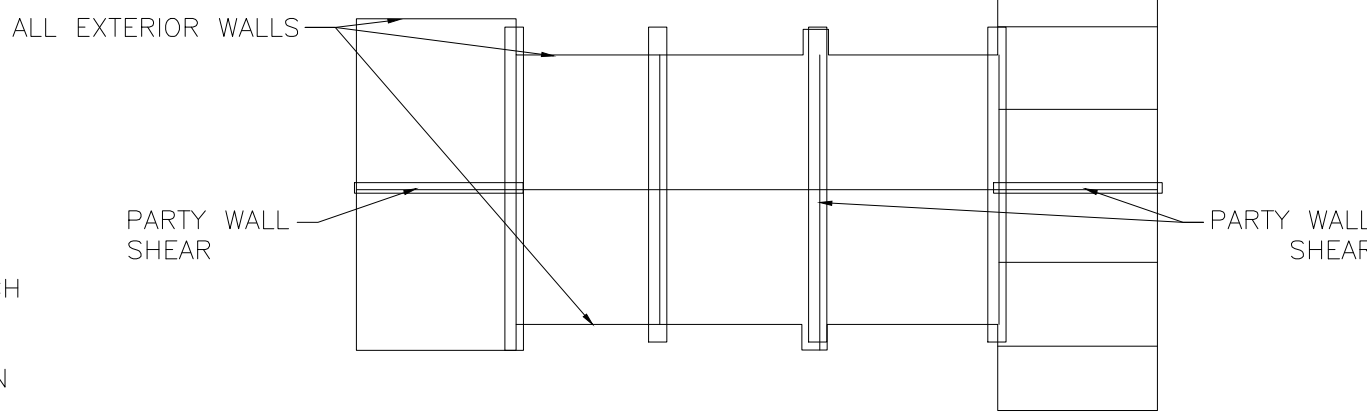
GENERAL PLAN NOTES	4
NTS	A101

- 4" THICK CONC. FLOOR W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY FLOOR DRAIN PLACEMENT WITH OWNER PRIOR TO POURING FLOOR.
- WOOD STAIR W/ 7 1/2" MAX RISE WITH 10" TREADS MIN 1 1/2" DIA. HANDRAIL AT 36" HIGH ABOVE NOBING
- 4" THICK CONC. SLAB W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY PLACEMENT WITH OWNER PRIOR TO POURING SLAB. PITCH OUT.
- 16" X 16" STONE PIER AROUND TREATED WOOD POST- COMPOSITE BOARD FINISH SEE ELEVATIONS & STRUCTURAL
- 22" X 36" ATTIC ACCESS PANEL TYP. INSTALL IN BETWEEN TRUSSES-VERIFY EXACT LOCATION ON SITE.
- PARTY WALL - SEE DETAIL FOR UNIT SEPARATION WALL
- AC UNIT- VERIFY ACTUAL PLACEMENT WITH OWNER PRIOR TO CONSTRUCTION
- WALL NICHE- VERIFY WITH OWNER FOR SIZE AND DETAIL
- PRE-MANUFACTURED ELECTRIC FIREPLACE UNIT
- CATHEDRAL CEILINGS IN SECOND FLOOR UNITS- VERIFY WITH OWNER FOR PITCH
- TREATED WOOD DECK- WITH PLASTIC DECKING AND VINYL GUARDRAILS. VERIFY WITH OWNER. SEE STRUCTURAL FOR DETAILS AND CONSTRUCTION
- 1HR FIRE BARRIER - SEE DETAIL FOR UNIT SEPARATION
- ADD BLOCKING & FASTEN SHEETROCK @ 4" O.C.

KEYED NOTES	5
(THESE NOTES ARE SIMILAR FOR ALL UNITS)	A101

- 4" THICK CONC. FLOOR W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY FLOOR DRAIN PLACEMENT WITH OWNER PRIOR TO POURING FLOOR.
- WOOD STAIR W/ 7 1/2" MAX RISE WITH 10" TREADS MIN 1 1/2" DIA. HANDRAIL AT 36" HIGH ABOVE NOBING
- 4" THICK CONC. SLAB W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY PLACEMENT WITH OWNER PRIOR TO POURING SLAB. PITCH OUT.
- 16" X 16" STONE PIER AROUND TREATED WOOD POST- COMPOSITE BOARD FINISH SEE ELEVATIONS & STRUCTURAL
- 22" X 36" ATTIC ACCESS PANEL TYP. INSTALL IN BETWEEN TRUSSES-VERIFY EXACT LOCATION ON SITE.
- PARTY WALL - SEE DETAIL FOR UNIT SEPARATION WALL
- AC UNIT- VERIFY ACTUAL PLACEMENT WITH OWNER PRIOR TO CONSTRUCTION
- WALL NICHE- VERIFY WITH OWNER FOR SIZE AND DETAIL
- PRE-MANUFACTURED ELECTRIC FIREPLACE UNIT
- CATHEDRAL CEILINGS IN SECOND FLOOR UNITS- VERIFY WITH OWNER FOR PITCH
- TREATED WOOD DECK- WITH PLASTIC DECKING AND VINYL GUARDRAILS. VERIFY WITH OWNER. SEE STRUCTURAL FOR DETAILS AND CONSTRUCTION
- 1HR FIRE BARRIER - SEE DETAIL FOR UNIT SEPARATION
- ADD BLOCKING & FASTEN SHEETROCK @ 4" O.C.

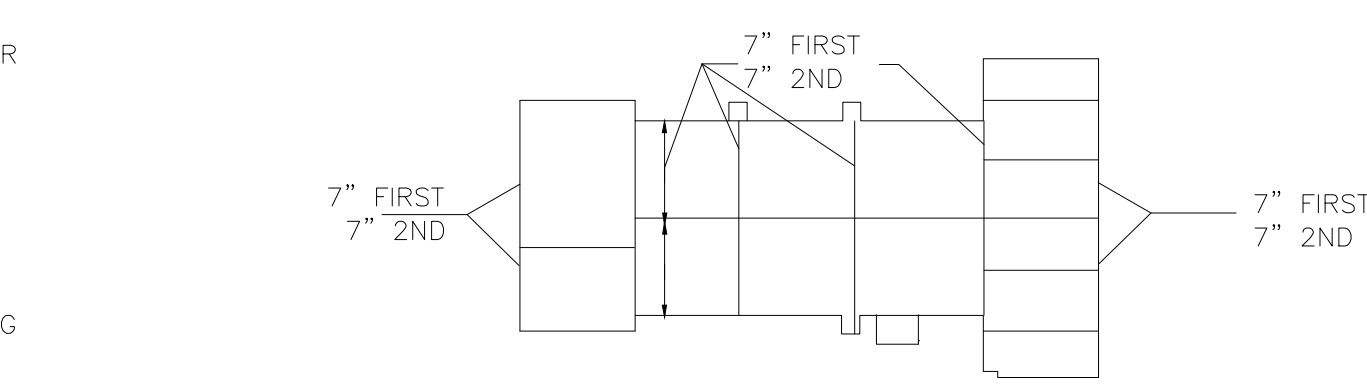
KEYED NOTES	5
(THESE NOTES ARE SIMILAR FOR ALL UNITS)	A101



- FRAMER TO ATTACH EXTERIOR TREATED WALL BASE PLATES WITH DRILLED IN ANCHOR BOLTS LOCATED 48" O.C. AND 12" FROM EACH END. WITH 1/2" DIA. x 5" SILL BOLTS (2 1/4" MIN. EMBEDMENT INTO CONCRETE) ATTACH INTERIOR TREATED WALL BASE PLATES AT SHORT PARTY WALLS (SHEAR WALLS) WITH ANCHOR BOLTS 48" O.C. AND 12" FROM EACH END. WITH 1/2" DIA. x 5" SILL BOLTS (2 1/4" MIN. EMBEDMENT INTO CONCRETE). MINIMUM TWO ANCHOR BOLTS PER ANY LENGTH OF PLATE.

- THE FOLLOWING IS A SCHEDULE FOR FASTENING GYPSUM BOARD AT SUPPORTED PANEL EDGES AND FIELD OF PANELS:

FIRST FLOOR CEILINGS 8" O.C. OVER CHANNELS @ 12" O.C.
2ND FLOOR CEILINGS 10" O.C.
WALL FASTENER SPACING SHALL BE AS SHOWN BELOW



FLOOR PLAN NOTES:

DIMENSIONS TO INTERIOR PARTITIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.

HANDICAP ACCESSIBILITY NOTE:

ALL FIRST FLOOR UNITS TO BE ACCESSIBLE PER FEDERAL FAIR HOUSING ACT.

MIN. DOOR SIZE IN EACH INDIVIDUAL UNIT 2'-10" WIDE

MIN. DOOR SIZE IN COMMON AREAS 3'-0" WIDE

MAX. HEIGHT 48"-FOR ALL SWITCHES &/or CONTROLS OUTLETS NO LOWER THAN 15" FROM FLOOR

PROVIDE BLOCKING AT ALL LOCATIONS REQUIRED FOR FUTURE GRAB BARS

1hr Partition Separation Wall Detail

SCALE: 1/1" = 1'-0"

NOTES: FIRE ALARM SYSTEM

- EACH LIVING UNIT SHALL HAVE A FIRE ALARM STATION LOCATED AT THE EXIT OF THE UNIT AND A HORN LOCATED IN THE HALL BY THE BEDROOMS.
- ALL SMOKE DETECTORS SHALL BE DIRECTLY AND PERMANENTLY WIRED TO A PROPER UNSWITCHED CIRCUIT AND BE PROVIDED WITH A BACKUP POWER SOURCE.
- SMOKE DETECTORS SHALL BE LOCATED IN HALL 6'-0" FROM BEDROOM DOOR AND IN EACH BEDROOM.
- SMOKE DETECTORS SHALL BE LOCATED IN THE UTILITY ROOM AND SHALL BE WIRED TO AN UNSWITCHED CIRCUIT WITH EMERGENCY POWER BACKUP.

- SD SMOKE ALARM
- EH FIRE ALARM HORN
- ES FIRE ALARM PULL STATION
- SD COMBO SMOKE/CARBON MONOXIDE DETECTOR

NOTE: ADA REQUIRED TYPE A UNITS SHALL TOTAL 1 UNIT WHEN ENTIRE DEVELOPMENT IS COMPLETE PER IBC TABLE 1107.6.1.1. SEE SHEETS A701 & A702 FOR TYPE "A" DETAILS & REQUIREMENTS.

TYPE	DESIGN	DESCRIPTION
1		SEPARATION WALL 1 HOUR FIRE RATED PARTITION UL DES U 305 2x4 or 2x6 STUDS @ 16" O.C., WITH BATT INSULATION TO CEILING, INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE
2		TYPICAL INTERIOR PARTITION WALL 2x4 STUDS @ 16" O.C., (WITH BATT INSULATION-VERIFY W/OWNER) TO CEILING, INSTALL 1/2" GYP. BD. FULL HGT. EA. SIDE TYP. (MRGB ON ALL SIDES OF WALLS EXPOSED TO BATHS) (2x6 STUDS FOR PLUMBING WALLS)
3		TYPICAL INTERIOR PARTITION WALL 2x6 STUDS @ 16" O.C., WITH BATT INSULATION, TO CEILING, INSTALL 1/2" GYP. BOARD FULL HGT. EA. SIDE TYP. MRGB ON INT. SIDE OF BATHS
4		SEPARATION WALL 1 HOUR FIRE RATED BARRIER UL DES U 305 2x4 or 2x6 STUDS @ 16" O.C., w/ R19 BATT INSULATION INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE TO UNDERSIDE OF FLOOR TRUSSES
5		TYPICAL EXTERIOR WALL W/BRICK VENEER 2x6 STUDS @ 16" O.C., WITH R19 BATT INSULATION, INSTALL 1/2" GYP. BD. FULL HGT. INTERIOR SIDE OF WALL. 4 MIL VAPOR BARRIER, EXTERIOR: 4" BRICK VENEER, 7/8" AIR SPACE TYP. BUILDING WRAP ON 1/2" A.P.A. RATED O.S.B. SHEATHING ON STUDS (USE 2x4 STUDS AT EXT. GARAGE WALLS)
6		TYPICAL INTERIOR PARTITION WALL 1/2" SHEETROCK BRAND FIRECODE C CORE GYPSUM PANEL, 2x4 LOAD BEARING STAGGERED WOOD STUD @ 16" O.C., 2x6 PLATE, 5/8" MINERAL WOOL BATT, 1/2" SHEETROCK BRAND FIRECODE C CORE GYPSUM PANEL JOINTS FINISHED, PERIMETER CAULKED-EST. FIRE RATING BASED ON UL DESIGN U305 AND UL DESIGN U340
7		SEPARATION WALL 1 HOUR FIRE RATED UL DES U 305 2x4 STUDS @ 16" O.C., w/ R19 BATT INSULATION INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE TO UNDERSIDE OF FLOOR TRUSSES

CARBON MONOXIDE DETECTOR SHALL BE CONNECTED TO BUILDING POWER SUPPLY AND HAVE BATTERY BACKUP
SMOKE DETECTOR PER INTERNATIONAL BUILDING CODE
EXHAUST FAN TO SWITCH, TYP. ALL BATHS
1 HOUR FIRE RATED WALLS SEE DETAIL FOR CONSTRUCTION
GARAGE DOOR OPENER- VERIFY WITH OWNER
F-1 = 20 MIN. HOUR FIRE DOOR ASSEMBLY WITH SPRING CLOSER HINGES

WALL TYPES & LEGEND	2
NTS	A101

GENERAL NOTES:	
1. ALL DIMENSIONS ARE TO STUD THICKNESS. OVERALL DIMENSIONS ARE TO OUTSIDE OF STUDS.	
2. ALL DIMENSIONS TO BE HELD CLEAR.	
3. INTERIOR DOORS TO BE LOCATED WITHIN 5'-7" OF CORNER TO ALLOW FOR TRIM. UON	
4. MOISTURE RESISTANT GYP. BD. ON ALL WET WALLS WHERE APPROPRIATE.	
5. INSULATE ALL PLUMBING WALLS TYP.	
6. INSTALLATION OF ALL MECHANICAL EQUIPMENT SHALL COMPLY W/IMC CHAPTER 44.	
7. ALL PENETRATIONS THROUGH REQUIRED FIRE-RESISTIVE ASSEMBLIES SHALL BE PROTECTED PER IBC 711 BY THE CONTRACTOR MAKING SAID PENETRATION.	
8. ALL JOINTS INSTALLED IN OR BETWEEN FIRE RESISTANT RATED WALLS, FLOOR OR FLOOR/CEILING ASSEMBLIES AND ROOFS OR ROOF/CEILING ASSEMBLIES SHALL BE PROTECTED BY APPROVED FIRE RESISTANT JOINT SYSTEMS PER IBC 712. GENERAL CONTRACTOR TO SCHEDULE JOINT PROTECTION PRIOR TO INSTALLATION OF FINISHES.	
9. ALL HEATING EQUIPMENT SHALL BE DIRECT VENTING & SEALED COMBUSTION UNITS. U.N.O.	
10. ALL TOILET ROOM FINISHES TO BE IMPERVIOUS TO WATER.	
GENERAL PLAN NOTES:	
-CAKE SHOULD BE TAKEN TO LEAVE EXISTING ITEMS UNDISTURBED AND STILL ACCOMMODATE WORK.	
-EXISTING AREAS TO BE PROTECTED DURING CONSTRUCTION	
-COORDINATE W/ PLUMBING CONTRACTOR FOR ALL UNDER-SLAB PIPING PRIOR TO POURING SLAB.	
-COORDINATE ALL FLOOR FRAMING WITH PLANNED PLUMBING FIXTURES TO ENSURE DRAINS DO NOT HIT FRAMING MEMBERS, BOX OUT FRAMING WHERE NEEDED.	

GENERAL NOTES	3
NTS	A101

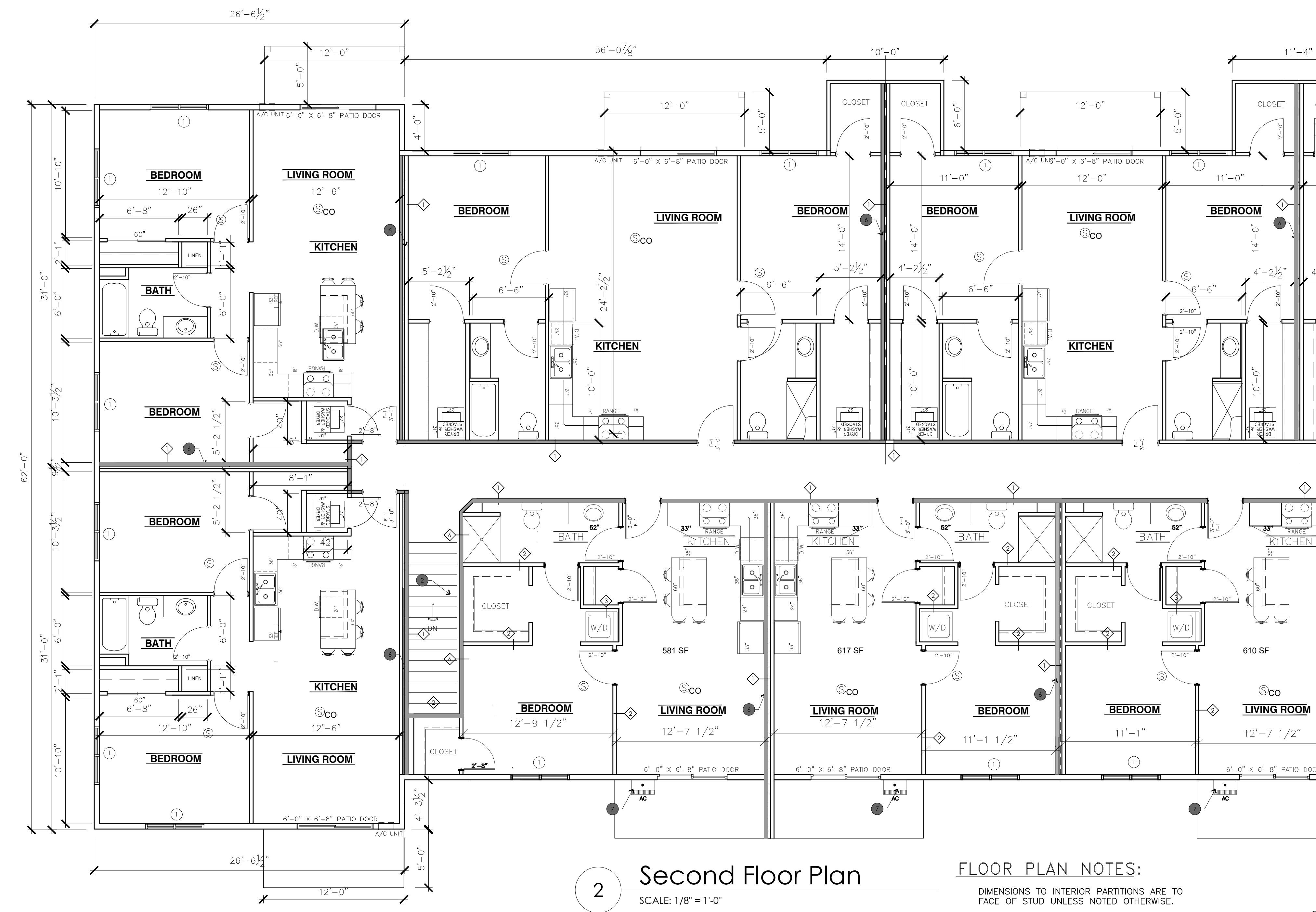
GENERAL PROJECT NOTES:	
-CONSTRUCTION IS TO BE IN COMPLIANCE WITH ALL GOVERNING CODES, ORDINANCES, & STANDARDS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING & SUPERVISING ALL SAFETY PRECAUTIONS & PROGRAMS IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT.	
-HVAC, ELECTRICAL AND PLUMBING ARE TO BE DESIGN BUILD, COMPLYING W/ ALL LOCAL, STATE, & NATIONAL CODES, AND TO BE THE FULL RESPONSIBILITY OF THE CONTRACTOR. THE DESIGNER ASSUMES NO LIABILITY.	
-ALL HEATING EQUIPMENT TO BE SEALED COMBUSTION TYPE & DIRECT VENTING	
-ALL MECHANICAL, HVAC, ELECTRICAL, AND PLUMBING SYSTEMS & ALL EQUIPMENT TO BE MAINTAINED ACCORDING TO MANUFACTURE'S STANDARDS. BUILDING OWNER AND/OR BUILDING OCCUPANTS ASSUME FULL RESPONSIBILITY FOR MAINTENANCE AND OPERATION	
-ALL MATERIALS, DETAILS, & INSTALLATION, SHALL BE IN ACCORDANCE WITH THE MANUFACTURES STANDARDS AND SPECIFICATIONS.	
-ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR LIMITING THE ACCUMULATION OF WASTE MATERIALS AND RUBBISH. WASTE MATERIALS SHALL BE REMOVED FROM THE PREMISES DAILY.	
-DIMENSIONS ARE TO BE FIELD VERIFIED & ADJUSTED ACCORDINGLY. THE DESIGNER SHALL BE NOTIFIED OF ANY VARIANCES BEFORE CONTRACTOR BEGINS OR PROCEEDS WORK.	
-ALL DIMENSIONS ARE FROM ACTUAL FINISHED SURFACES. UON ON THE PLAN.	
ALLOWANCES SHALL BE MADE FOR FLOOR & WALL FINISHES.	

GENERAL PLAN NOTES	4
NTS	A101

- 4" THICK CONC. FLOOR W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY FLOOR DRAIN PLACEMENT WITH OWNER PRIOR TO POURING FLOOR.
- WOOD STAIR W/ 7 1/2" MAX RISE WITH 10" TREADS MIN 1 1/2" DIA. HANDRAIL AT 36" HIGH ABOVE NOSING.
- 4" THICK CONC. SLAB W/ #10/#10, 6X6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY PLACEMENT WITH OWNER PRIOR TO POURING SLAB. PITCH OUT.
- 16" X 16" STONE PIER AROUND TREATED WOOD POST- COMPOSITE BOARD FINISH SEE ELEVATIONS & STRUCTURAL
- 22" X 36" ATTIC ACCESS PANEL TYP. INSTALL IN BETWEEN TRUSSES-VERIFY EXACT LOCATION ON SITE.
- PARTY WALL- SEE DETAIL FOR UNIT SEPARATION WALL
- AC UNIT- VERIFY ACTUAL PLACEMENT WITH OWNER PRIOR TO CONSTRUCTION
- WALL NICHE- VERIFY WITH OWNER FOR SIZE AND DETAIL
- PRE-MANUFACTURED ELECTRIC FIREPLACE UNIT
- CATHEDRAL CEILINGS IN SECOND FLOOR UNITS- VERIFY WITH OWNER FOR PITCH
- TREATED WOOD DECK- WITH PLASTIC DECKING AND VINYL GUARDRAILS. VERIFY WITH OWNER. SEE STRUCTURAL FOR DETAILS AND CONSTRUCTION
- 1HR FIRE BARRIER - SEE DETAIL FOR UNIT SEPARATION
- ADD BLOCKING & FASTEN SHEETROCK @ 4" O.C.

KEYED NOTES	5
(THESE NOTES ARE SIMILAR FOR ALL UNITS)	A101

WINDOW SCHEDULE			
WINDOW MARK	SIZE	SILL ELEVATION	REMARKS
1	5'W X 4'H	TBD	SLIDER /DOUBLE PANE, TINTED, LOW-E
2	3'W X 4'H	TBD	SLIDER /DOUBLE PANE, TINTED, LOW-E
-	-	-	-



2

Second Floor Plan

SCALE: 1/8" = 1'-0"

FLOOR PLAN NOTES:

DIMENSIONS TO INTERIOR PARTITIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.

HANDICAP ACCESSIBILITY NOTE:

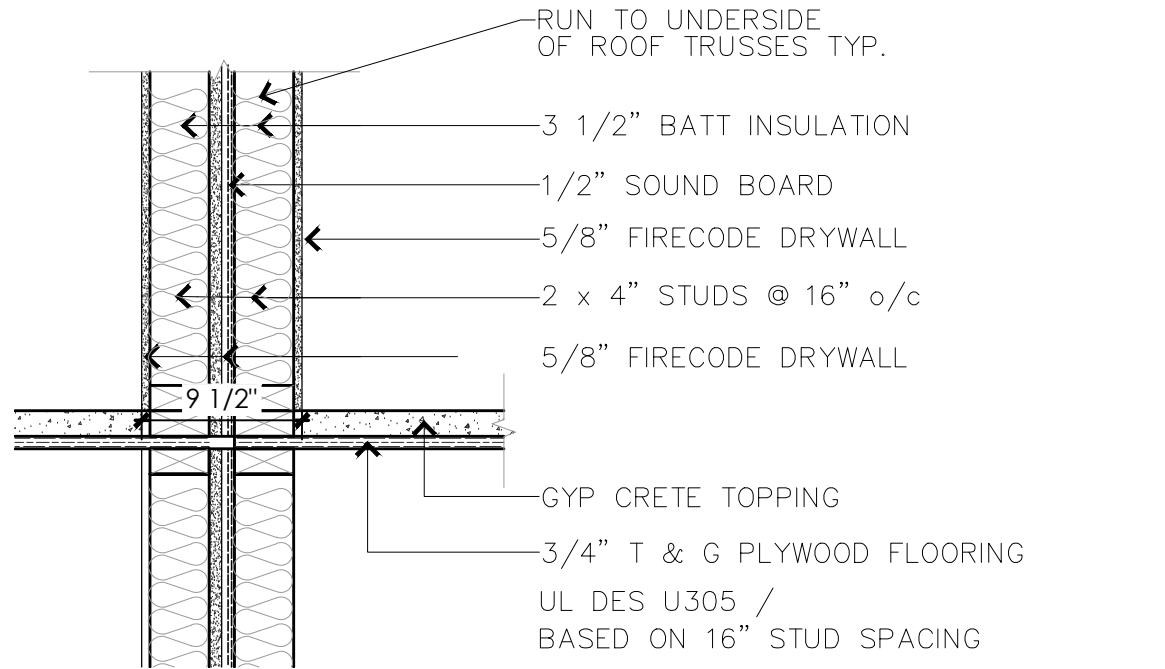
ALL FIRST FLOOR UNITS TO BE ACCESSIBLE PER FEDERAL FAIR HOUSING ACT.

MIN. DOOR SIZE IN EACH INDIVIDUAL UNIT 2'-10" WIDE

MIN. DOOR SIZE IN COMMON AREAS 3'-0" WIDE

MAX. HEIGHT 48"-FOR ALL SWITCHES &/or CONTROLS OUTLETS NO LOWER THAN 15" FROM FLOOR

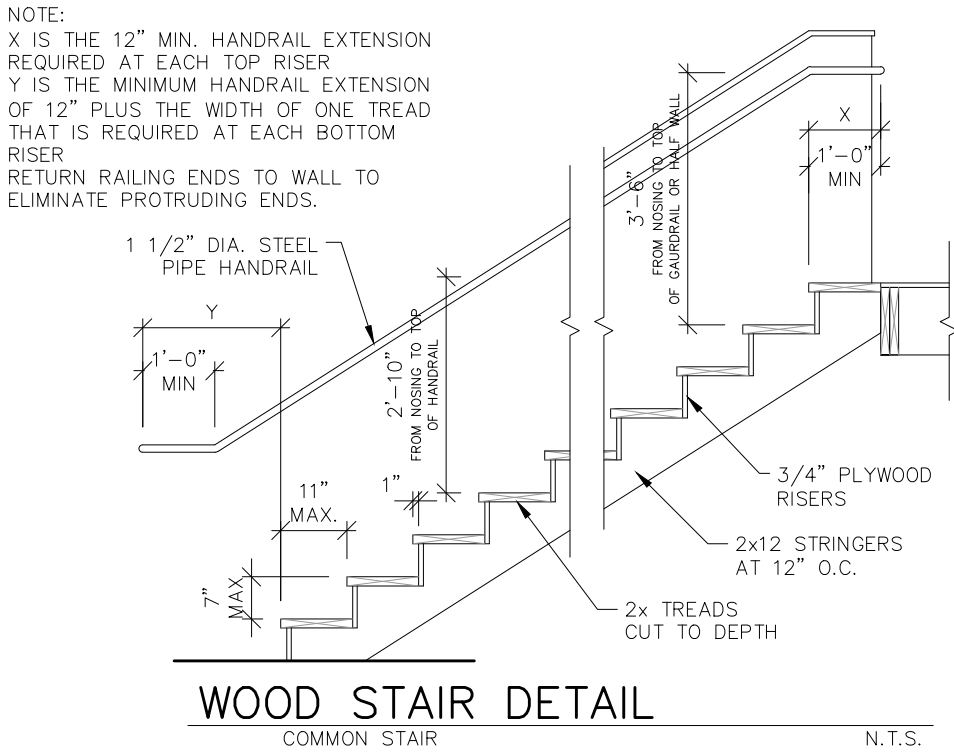
PROVIDE BLOCKING AT ALL LOCATIONS REQUIRED FOR FUTURE GRAB BARS



6

NOTES:

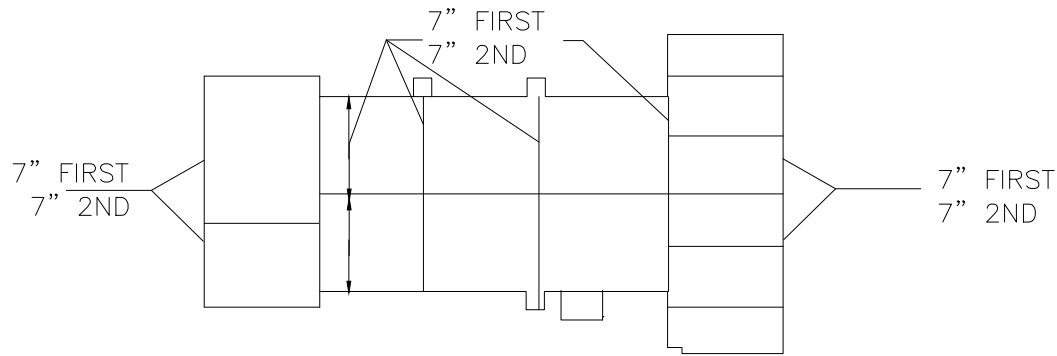
- STAIR HANDRAILS: TO BE DESIGNED TO WITHSTAND 200# LOAD APPLIED IN ANY DIRECTION. PROVIDE BRACKETS AT 32"O.C. -6 TOTAL. PROVIDE 2X12 BLOCKING AT TOP AND BOTTOM RISER.
- ATTIC ACCESS: EACH ATTIC COMPARTMENT FROM (1) 2ND FLOOR APARTMENT UNIT SHALL HAVE AN 20"x30" ATTIC PANEL. LOCATE ON DRIVE SIDE OF BUILDING. SEE DETAIL 1/2
- ALL 2ND FLOOR ELECTRIC WATER HEATERS AND WASHERS SHALL BE PROVIDED WITH AN OVERFLOW PAN WITH DRAIN TO PREVENT DISCHARGE WATER FROM FLOWING INTO UNIT.
- ALL WALLS BETWEEN UNITS SHALL BE 1HR FIRE RATED.
- PLUMBER TO INSTALL 5/8" TYPE X GYP. BD. ON BOTTOM OF FLOOR SHEATHING BELOW ANY HOLE CUT OUT AT TUB/SH. BEFORE RUNNING DRAIN LINE THRU FLOOR AND FIRE CAULK OPENING.
- PORCHES: ALL LUMBER USED IN THE CONSTRUCTION OF THE 2ND FLOOR DECKS SHALL BE TREATED ,DECAY RESISTANT LUMBER. DECK CONSTRUCTION SHALL HAVE MIN. LIVE LOAD OF 100#PSF.. ALL PORCH RAILINGS SHALL HAVE A HEIGHT OF 42" FROM DECK. RAILINGS SHALL BE CONSTRUCTED SO AN 4" OBJECT CANNOT PASS THRU RAILINGS. HANDRAILS AND GUARDRAILS TO BE DESIGNED FOR 200# LOAD APPLIED IN ANY DIRECTION.
- AC SLEEVES TO BE 26 1/2" X 16 1/2"H R.O. 1ST FLOOR ARE 42" A.F.F.. 2ND FLOOR TOP OF SLEEVE IS WINDOW HEADER HT.
- BEFORE INSTALLING 3/8" GYP. BD. BEHIND TUB SHOWERS INSTALL 3 1/2" BATT INSUL. AT SHOWERS AT CORNER UNITS INSTALL R-13 BATTS & 4MIL V.B..
- UNDER TUBS AND SHOWERS AT 2ND FLOOR INSTALL 1 3/2" APA RATED OSB SHEATHING PER APA SPEC PR-108 PER UL L550 SYSTEM 1
- FIRE WALL PENETRATIONS: NO OPENINGS AROUND PIPE, ELECTRICAL BOXES, CONDUITS, DUCTS, OR OTHER PENETRATING ITEMS THROUGH A FIRE PROTECTIVE MEMBRANE(WHICH IS GYP. BD. OR FLOOR SHEATHING) SHALL BE MORE THAN 1/8". IF MORE THAN 1/8" ALL OPENINGS MUST BE SEALED WITH FIRE STOP PRODUCT OR DEVICE THAT IS TESTED AND LISTED BY AN APPROVED TESTING LAB UNDER ASTM E814. IN FIRE WALLS ELECTRICAL BOXES MUST BE CLASSIFIED FOR FIRE RESIST. OR METALLIC OUTLET BOXES THAT ARE LISTED BY AN APPROVED RTESTING LAB. BOXES MUST NOT BE MORE THAN 16 SQ. INCHES. DO NOT INSTALL ON OPPOSITE SIDES OF WALLS, SPACE 24" MIN. HORIZ. . TOTAL AGGREGATE WIDTH OF ALL SUCH OPENINGS SHALL NOT EXCEED 100 SQ.IN IN 100 SQ.FT. DUCT OPENING LARGER THAN 20 SQ.IN. SHALL BE PROTECTED WITH FIRE DAMPER OR 6' OF CONT. STEEL DUCTWORK FROM THE MEMBRANE PENETRATION TOWARD THE AIR HANDLING UNIT.



- THE FOLLOWING IS A SCHEDULE FOR FASTENING GYPSUM BOARD AT SUPPORTED PANEL EDGES AND FIELD OF PANELS:

FIRST FLOOR CEILINGS 8" O.C. OVER CHANNELS @ 12" O.C.
2ND FLOOR CEILINGS 10" O.C.

WALL FASTENER SPACING SHALL BE AS SHOWN BELOW



WALL TYPE	DESIGN	DESCRIPTION
1		SEPARATION WALL 1 HOUR FIRE RATED PARTITION UL DES U-305 2x4 or 2x6 STUDS @ 16" O.C., WITH BATT INSULATION TO CEILING. INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE
2		TYPICAL INTERIOR PARTITION WALL 2x4 STUDS @ 16" O.C., WITH BATT INSULATION (VERIFY WIDTH) TO CEILING. INSTALL 1/2" GYP. BD. FULL HGT. EA. SIDE TYP. (NRGB ON ALL SIDES OF WALLS EXPOSED TO BATHS) (2x4 STUDS FOR PLUMBING WALLS)
3		TYPICAL INTERIOR PARTITION WALL 2x4 STUDS @ 16" O.C., WITH BATT INSULATION TO CEILING. INSTALL 1/2" GYB. BOARD FULL HGT. EA. SIDE TYP. NRGB ON INT. SIDE OF BATHS
4		SEPARATION WALL 1 HOUR FIRE RATED BARRIER UL DES U-305 2x4 or 2x6 STUDS @ 16" O.C., INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE TO UNDERSIDE OF FLOOR TRUSSES
5		TYPICAL EXTERIOR WALL W/BRICK VENEER 2x4 STUDS @ 16" O.C. WITH R-19 BATT INSULATION. INSTALL 1/2" GYP. BD. FULL HGT. INTERIOR SIDE OF WALL. 4 MIL VAPOR BARRIER. EXTERIOR: 4" BRICK VENEER, 7/8" AIR SPACE TYVEK BUILDING WRAP ON 1/2" A.P.A. RATED O.S.B. SHEATHING ON STUDS (USE 2x4 STUDS AT EXT. GARAGE WALLS)
6		TYPICAL INTERIOR PARTITION WALL 1/2" SHEETROCK BRAND FIRECODE C CORE GYPSUM PANEL, 2x4 (CAND. BEARING STAGGERED) WOOD STUD @ 16" O.C., 2x4 PLATE 3/8" MINERAL WOOL BATT, 1/2" SHEETROCK BRAND FIRECODE C CORE GYPSUM PANEL JOINTS FINISHED. PERIMETER CAULKED. EST. FIRE RATING BASED ON UL DESIGN U305 AND UL DESIGN U340
7		SEPARATION WALL 1 HOUR FIRE RATED UL DES U-305 2x4 STUDS @ 16" O.C., W/ R19 BATT INSULATION INSTALL 5/8" TYPE "X" GYP. BD. FULL HGT. EACH SIDE TO UNDERSIDE OF FLOOR TRUSSES

CARBON MONOXIDE DETECTOR SHALL BE CONNECTED TO BUILDING POWER SUPPLY AND HAVE BATTERY BACKUP	
	SMOKE DETECTOR PER INTERNATIONAL BUILDING CODE
	EXHAUST FAN TO SWITCH, TYP. ALL BATHS
	GARAGE DOOR OPENER. VERIFY WITH OWNER
F-1 = 20 MIN. HOUR FIRE DOOR ASSEMBLY WITH SPRING CLOSER HINGES	

WALL TYPES & LEGEND	
NTS	2 A101

GENERAL NOTES:	
1. ALL DIMENSIONS ARE TO STUD THICKNESS. OVERALL DIMENSIONS ARE TO OUTSIDE OF STUDS.	
2. ALL DIMENSIONS TO BE FIELD CLEAR.	
3. INTERIOR DOORS TO BE LOCATED WITHIN 5'-7" OF CORNER TO ALLOW FOR TRIM, UNION	
4. MOISTURE RESISTANT GYP. BD. ON ALL WET WALLS WHERE APPROPRIATE.	
5. INSULATE ALL PLUMBING WALLS - TYP.	
6. INSTALLATION OF ALL MECHANICAL EQUIPMENT SHALL COMPLY W/ IMC CHAPTER 64.	
7. ALL PENETRATIONS THROUGH REQUIRED FIRE-RESISTIVE ASSEMBLIES SHALL BE PROTECTED PER IRC 711 BY THE CONTRACTOR MAKING SAID PENETRATION.	
8. ALL JOINTS INSTALLED IN OR BETWEEN FIRE RESISTANT RATED WALLS, FLOOR OR FLOOR/ CEILING ASSEMBLIES AND ROOFS OR ROOF/ CEILING ASSEMBLIES SHALL BE PROTECTED BY APPROVED FIRE RESISTANT JOINT SYSTEMS PER IRC 712. GENERAL CONTRACTOR TO SCHEDULE JOINT PROTECTION PRIOR TO INSTALLATION OF FINISHES.	
9. ALL HEATING EQUIPMENT SHALL BE DIRECT VENTING & SEALED COMBUSTION UNITS, U.N.O.	
10. ALL TOILET ROOM FINISHES TO BE IMPERVIOUS TO WATER.	
GENERAL PLAN NOTES:	
- CARE SHOULD BE TAKEN TO LEAVE EXISTING ITEMS UNDISTURBED AND STILL ACCOMMODATE WORK. EXISTING AREAS TO BE PROTECTED DURING CONSTRUCTION.	
- COORDINATE W/ PLUMBING CONTRACTOR FOR ALL UNDER-SLAB PIPING PRIOR TO POURING SLAB.	
- COORDINATE ALL FLOOR FRAMING WITH PLANNED PLUMBING FIXTURES TO ENSURE DRAINS DO NOT HIT FRAMING MEMBERS, BOX OUT FRAMING WHERE NEEDED.	

GENERAL NOTES	
NTS	3 A101

GENERAL PROJECT NOTES:	
- CONSTRUCTION IS TO BE IN COMPLIANCE WITH ALL GOVERNING CODES, ORDINANCES, & STANDARDS. THE CONTRACTOR(S) SHALL BE RESPONSIBLE FOR INITIATING, MAINTAINING & SUPERVISING ALL SAFETY PRECAUTIONS & PROGRAMS IN CONNECTION WITH THE PERFORMANCE OF THIS CONTRACT.	
- HVAC, ELECTRICAL AND PLUMBING ARE TO BE DESIGN BUILD, COMPLYING W/ ALL LOCAL, STATE, & NATIONAL CODES, AND TO BE THE FULL RESPONSIBILITY OF THE CONTRACTOR. THE DESIGNER ASSUMES NO LIABILITY.	
- ALL HEATING EQUIPMENT TO BE SEALED COMBUSTION TYPE & DIRECT VENTING	
- ALL MECHANICAL, HVAC, ELECTRICAL, AND PLUMBING SYSTEMS & ALL EQUIPMENT TO BE MAINTAINED ACCORDING TO MANUFACTURERS STANDARDS. BUILDING OWNER AND/OR BUILDING OCCUPANTS ASSUME FULL RESPONSIBILITY FOR MAINTENANCE AND OPERATION	
- ALL MATERIALS, DETAILS, & INSTALLATION, SHALL BE IN ACCORDANCE WITH THE MANUFACTURERS STANDARDS AND SPECIFICATIONS.	
- ALL SUBCONTRACTORS SHALL BE RESPONSIBLE FOR LIMITING THE ACCUMULATION OF WASTE MATERIALS AND RUBBISH. WASTE MATERIALS SHALL BE REMOVED FROM THE PREMISES DAILY.	
- DIMENSIONS ARE TO BE FIELD VERIFIED & ADJUSTED ACCORDINGLY. THE DESIGNER SHALL BE NOTIFIED OF ANY VARIANCES BEFORE CONTRACTOR BEGINS OR PROCEEDS WORK.	
- ALL DIMENSIONS ARE FROM ACTUAL FINISHED SURFACES, UNON ON THE PLAN. ALLOWANCES SHALL BE MADE FOR FLOOR & WALL FINISHES.	

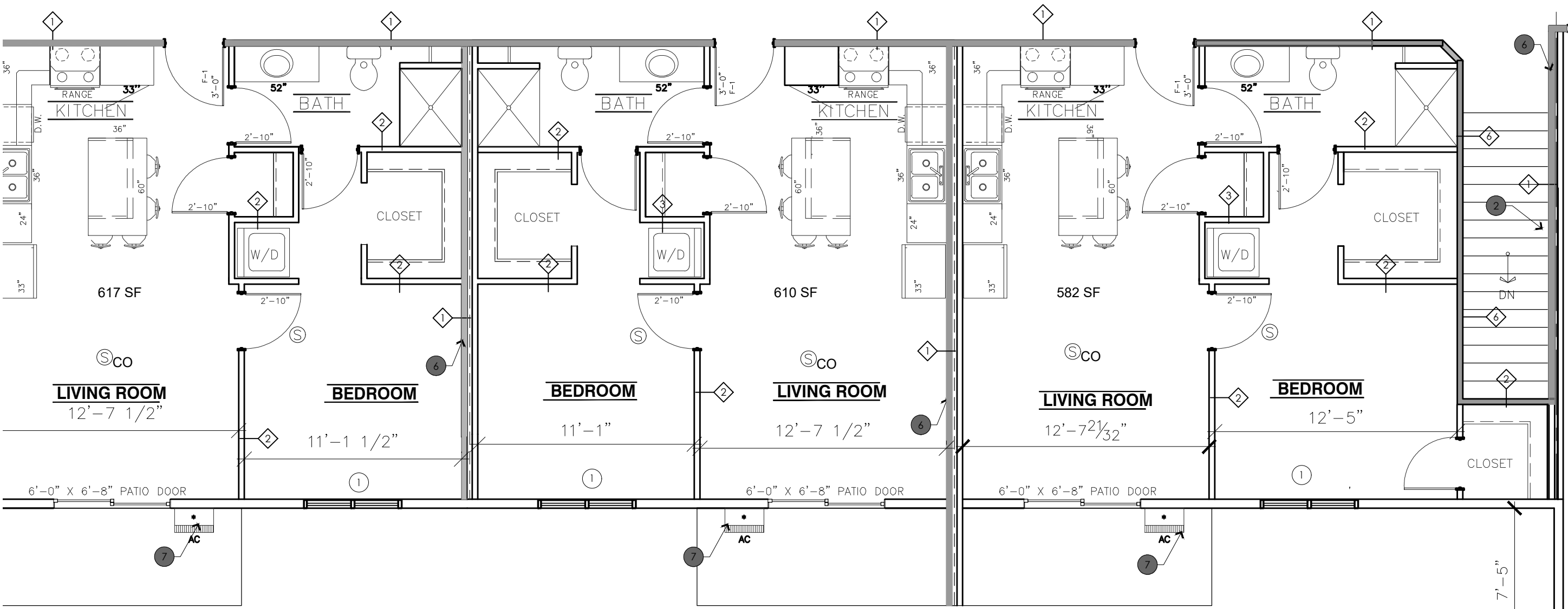
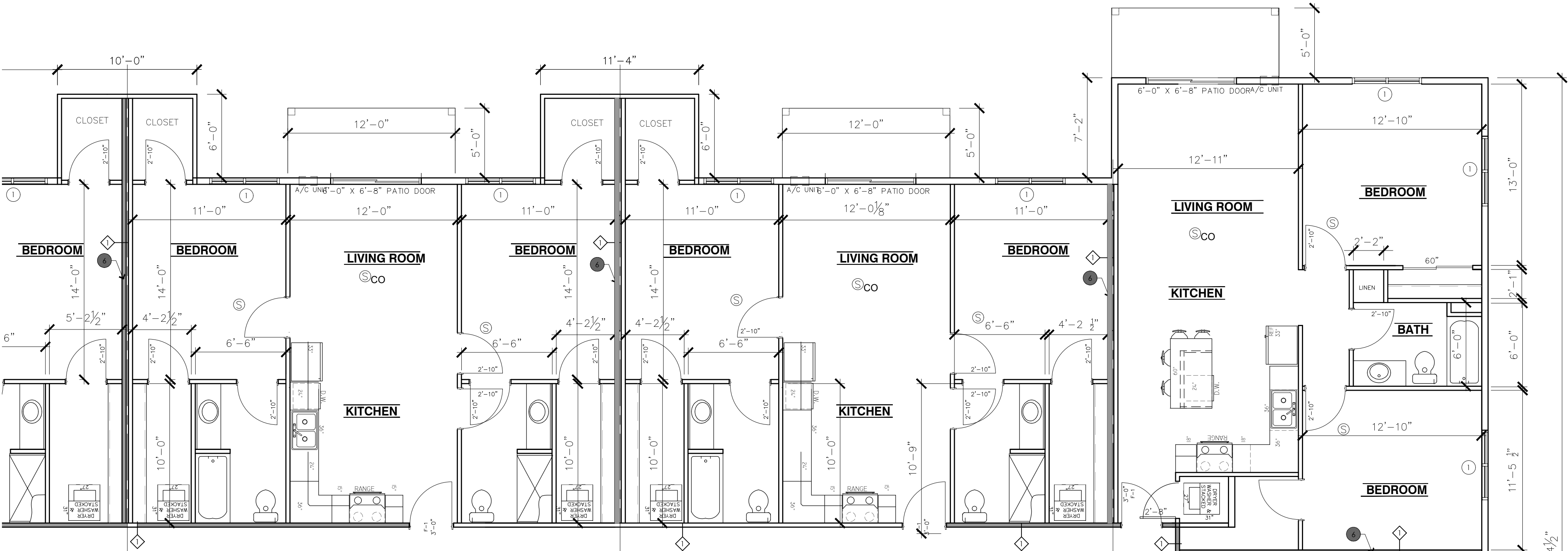
GENERAL PLAN NOTES	
NTS	4 A101

- 4" THICK CONC. FLOOR W/ #10/#10, 6x6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY FLOOR DRAIN PLACEMENT WITH OWNER PRIOR TO POURING FLOOR.
- WOOD STAIR W/ 7 1/2" MAX RISE WITH 10" TREADS MIN 1 1/2" DIA. HANDRAIL AT 36" HIGH ABOVE NOSING.
- 4" THICK CONC. SLAB W/ #10/#10, 6x6 W.W.M ON 8" COMPACTED GRANULAR FILL. SITE VERIFY PLACEMENT WITH OWNER PRIOR TO POURING SLAB. PITCH OUT.
- 16" X 16" STONE PIER AROUND TREATED WOOD POST- COMPOSITE BOARD FINISH SEE ELEVATIONS & STRUCTURAL
- 22" X 36" ATTIC ACCESS PANEL TYP. INSTALL IN BETWEEN TRUSSES-VERIFY EXACT LOCATION ON SITE.
- PARTY WALL -SEE DETAIL FOR UNIT SEPARATION WALL
- AC UNIT-VERIFY ACTUAL PLACEMENT WITH OWNER PRIOR TO CONSTRUCTION
- WALL NICHE- VERIFY WITH OWNER FOR SIZE AND DETAIL
- PRE-MANUFACTURED ELECTRIC FIREPLACE UNIT
- CATHEDRAL CEILINGS IN SECOND FLOOR UNITS- VERIFY WITH OWNER FOR PITCH
- TREATED WOOD DECK- WITH PLASTIC DECKING AND VINYL GUARDRAILS. VERIFY WITH OWNER. SEE STRUCTURAL FOR DETAILS AND CONSTRUCTION
- 1HR FIRE BARRIER - SEE DETAIL FOR UNIT SEPARATION
- ADD BLOCKING & FASTEN SHEETROCK @ 4" O.C.

KEYED NOTES	
(THESE NOTES ARE SIMILAR FOR ALL UNITS)	5 A101

WINDOW SCHEDULE

WINDOW MARK	SIZE	SILL ELEVATION	REMARKS
1	5'W X 4'H	TBD	SLIDER /DOUBLE PANE, TINTED, LOW-E
2	3'W X 4'H	TBD	SLIDER /DOUBLE PANE, TINTED, LOW-E
-	-	-	-

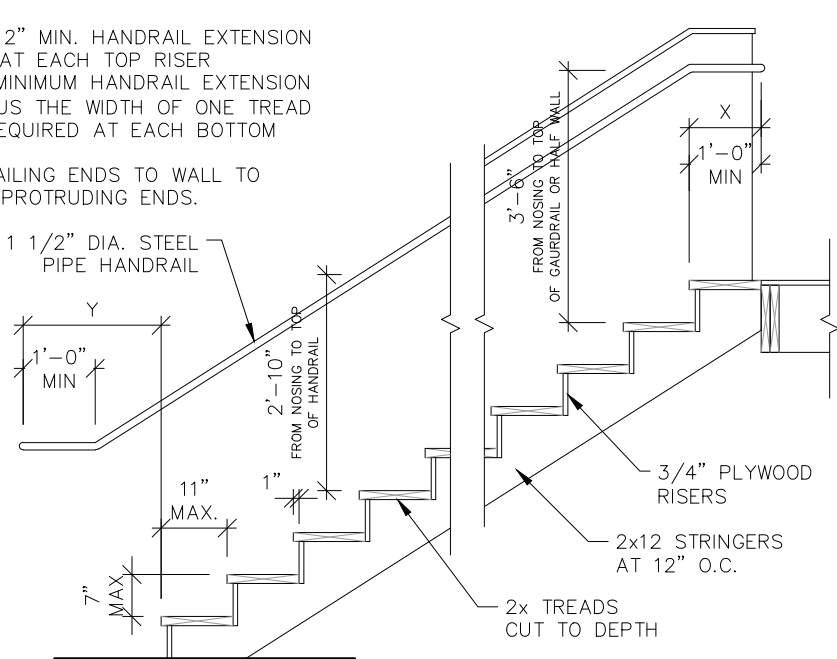


2 Second Floor Plan
SCALE: 1/8" = 1'-0"

FLOOR PLAN NOTES:
DIMENSIONS TO INTERIOR PARTITIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.

NOTES:

- STAIR HANDRAILS: TO BE DESIGNED TO WITHSTAND 200# LOAD APPLIED IN ANY DIRECTION. PROVIDE BRACKETS AT 32" O.C. -6 TOTAL. PROVIDE 2X12 BLOCKING AT TOP AND BOTTOM RISER.
- ATTIC ACCESS: EACH ATTIC COMPARTMENT FROM (1) 2ND FLOOR APARTMENT UNIT SHALL HAVE AN 20"x30" ATTIC PANEL. LOCATE ON DRIVE SIDE OF BUILDING. SEE DETAIL 1/2
- ALL 2ND FLOOR ELECTRIC WATER HEATERS AND WASHERS SHALL BE PROVIDED WITH AN OVERFLOW PAN WITH DRAIN TO PREVENT DISCHARGE WATER FROM FLOWING INTO UNIT.
- ALL WALLS BETWEEN UNITS SHALL BE 1HR FIRE RATED.
- PLUMBER TO INSTALL 5/8" TYPE X GYP. BD. ON BOTTOM OF FLOOR SHEATHING BELOW ANY HOLE CUT OUT AT TUB/SH. BEFORE RUNNING DRAIN LINE THRU FLOOR AND FIRE CAULK OPENING.
- PORCHES: ALL LUMBER USED IN THE CONSTRUCTION OF THE 2ND FLOOR DECKS SHALL BE TREATED ,DECAY RESISTANT LUMBER. DECK CONSTRUCTION SHALL HAVE MIN. LIVE LOAD OF 100#PSF.. ALL PORCH RAILINGS SHALL HAVE A HEIGHT OF 42" FROM DECK. RAILINGS SHALL SHALL BE CONSTRUCTED SO AN 4" OBJECT CANNOT PASS THRU RAILINGS. HANDRAILS AND GUARDRAILS TO BE DESIGNED FOR 200# LOAD APPLIED IN ANY DIRECTION.
- AC SLEEVES TO BE 26 1/2" X 16 1/4"H R.O. 1ST FLOOR ARE 42" A.F.F.. 2ND FLOOR TOP OF SLEEVE IS WINDOW HEADER HT.
- BEFORE INSTALLING 3/8" GYP. BD. BEHIND TUB SHOWERS INSTALL 3 1/2" BATT INSUL. AT SHOWERS AT CORNER UNITS INSTALL R-13 BATTS & 4MIL V.B..
- UNDER TUBS AND SHOWERS AT 2ND FLOOR INSTALL 1 5/32" APA RATED OSB SHEATHING PER APA SPEC PR-108 PER UL L550 SYSTEM 1
- FIRE WALL PENETRATIONS: NO OPENINGS AROUND PIPE, ELECTRICAL BOXES, CONDUITS, DUCTS, OR OTHER PENETRATING ITEMS THROUGH A FIRE PROTECTIVE MEMBRANE(WHICH IS GYP. BD. OR FLOOR SHEATHING) SHALL BE MORE THAN 1/8". IF MORE THAN 1/8" ALL OPENINGS MUST BE SEALED WITH FIRE STOP PRODUCT OR DEVICE THAT IS TESTED AND LISTED BY AN APPROVED TESTING LAB UNDER ASTM E814. IN FIRE WALLS ELECTRICAL BOXES MUST BE CLASSIFIED FOR FIRE RESIST. OR METALLIC OUTLET BOXES THAT ARE LISTED BY AN APPROVED RTESTING LAB. BOXES MUST NOT BE MORE THAN 16 SQ. INCHES. DO NOT INSTALL ON OPPOSITE SIDES OF WALLS, SPACE 24" MIN. HORIZ. . TOTAL AGGREGATE WIDTH OF ALL SUCH OPENINGS SHALL NOT EXCEED 100 SQ.IN IN 100 SQ.FT. DUCT OPENING LARGER THAN 20 SQ.IN. SHALL BE PROTECTED WITH FIRE DAMPER OR 6' OF CONT. STEEL DUCTWORK FROM THE MEMBRANE PENETRATION TOWARD THE AIR HANDLING UNIT.

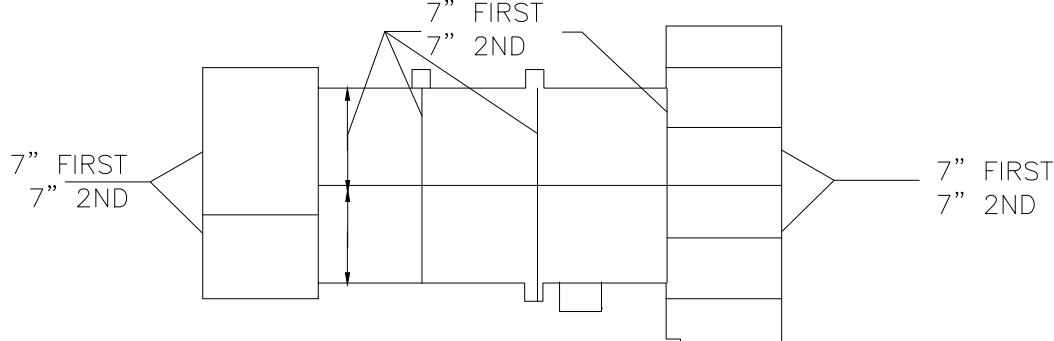


WOOD STAIR DETAIL
COMMON STAIR N.T.S.

- THE FOLLOWING IS A SCHEDULE FOR FASTENING GYPSUM BOARD AT SUPPORTED PANEL EDGES AND FIELD OF PANELS:

FIRST FLOOR CEILINGS 8" O.C. OVER CHANNELS @ 12" O.C.
2ND FLOOR CEILINGS 10" O.C.

WALL FASTENER SPACING SHALL BE AS SHOWN BELOW



HANDICAP ACCESSIBILITY NOTE:

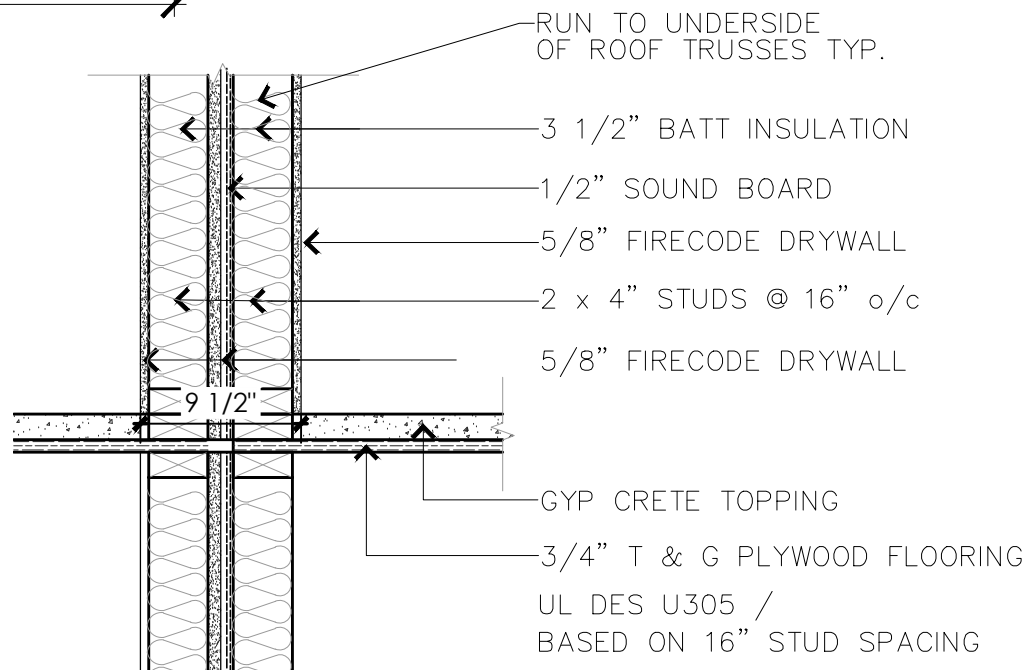
ALL FIRST FLOOR UNITS TO BE ACCESSIBLE PER FEDERAL FAIR HOUSING ACT.

MIN. DOOR SIZE IN EACH INDIVIDUAL UNIT 2'-10" WIDE

MIN. DOOR SIZE IN COMMON AREAS 3'-0" WIDE

MAX. HEIGHT 48"-FOR ALL SWITCHES &/or CONTROLS OUTLETS NO LOWER THAN 15" FROM FLOOR

PROVIDE BLOCKING AT ALL LOCATIONS REQUIRED FOR FUTURE GRAB BARS



6 1hr Partition Separation Wall Detail
SCALE: 1/1" = 1'-0"

NOTES: FIRE ALARM SYSTEM

- EACH LIVING UNIT SHALL HAVE A FIRE ALARM STATION LOCATED AT THE EXIT OF THE UNIT AND A HORN LOCATED IN THE HALL BY THE BEDROOMS.
- ALL SMOKE DETECTORS SHALL BE DIRECTLY AND PERMANENTLY WIRED TO A PROPER UNSWITCHED CIRCUIT AND BE PROVIDED WITH A BACKUP POWER SOURCE.
- SMOKE DETECTORS SHALL BE LOCATED IN HALL 6'-0" FROM BEDROOM DOOR AND IN EACH BEDROOM.
- SMOKE DETECTORS SHALL BE LOCATED IN THE UTILITY ROOM AND SHALL BE WIRED TO AN UNSWITCHED CIRCUIT WITH EMERGENCY POWER BACKUP.

- SMOKE ALARM
- FIRE ALARM HORN
- FIRE ALARM PULL STATION
- COMBO SMOKE/CARBON MONOXIDE DETECTOR



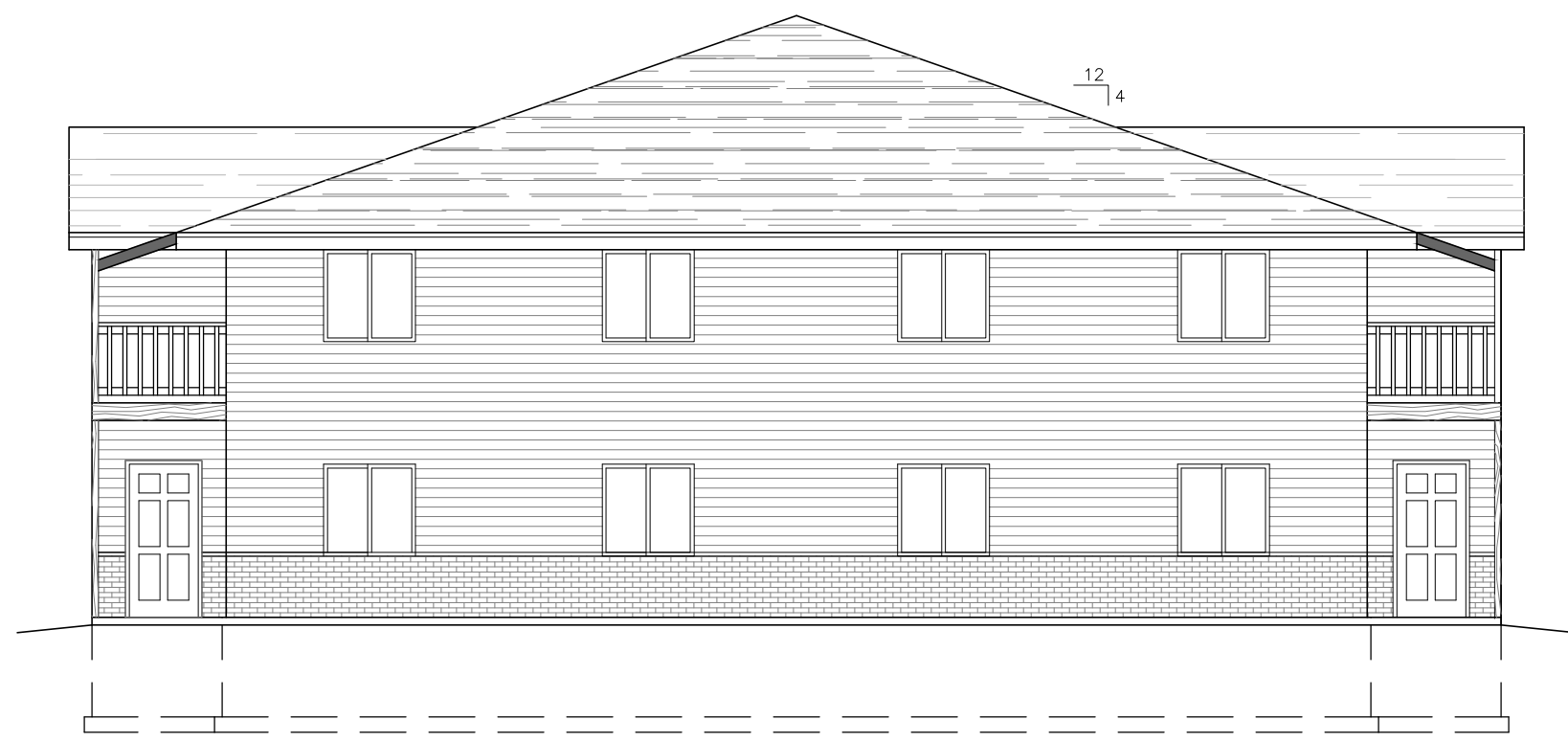
1 FRONT ELEVATION
SCALE: 3/16" = 1'-0"



2 BACK ELEVATION
SCALE: 3/16" = 1'-0"

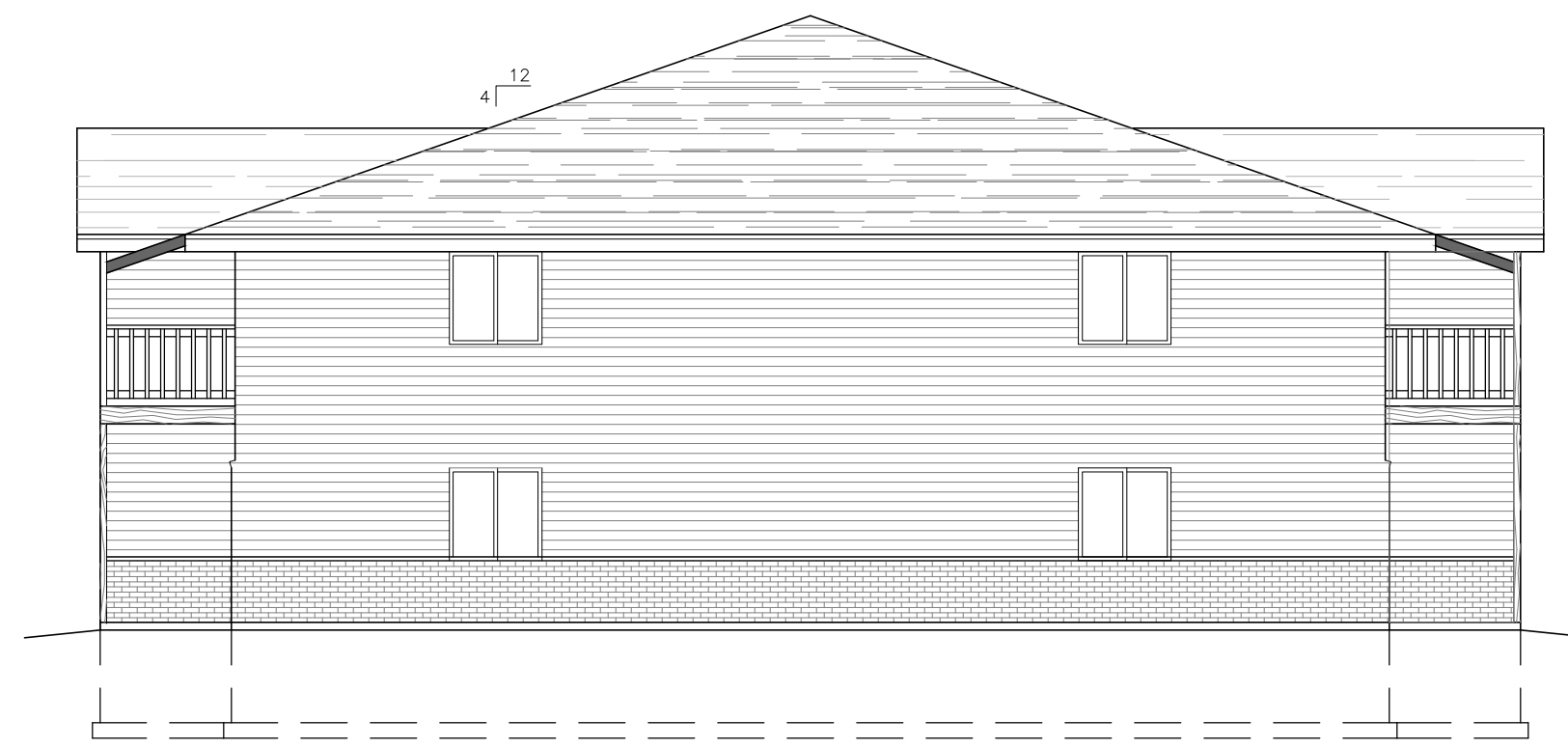


3 SIDE ELEVATION
SCALE: 3/16" = 1'-0"



SIDE ELEVATION

SCALE: 1/8" = 1'-0"



SIDE ELEVATION

SCALE: 1/8" = 1'-0"

17'-7 1/2"
TRUSS BEARING

9'-7 1/2"
SECOND FLOOR

0'-0"
FIRST FLOOR

-4'-0"
TOP OF FOOTING



REAR ELEVATION

SCALE: 1/8" = 1'-0"

17'-7 1/2"
TRUSS BEARING

9'-7 1/2"
SECOND FLOOR

0'-0"
FIRST FLOOR

-4'-0"
TOP OF FOOTING



FRONT ELEVATION 904 SQ.FT. - BRICK

SCALE: 1/8" = 1'-0"

17'-7 1/2"
TRUSS BEARING

9'-7 1/2"
SECOND FLOOR

0'-0"
FIRST FLOOR

-4'-0"
TOP OF FOOTING

NOTE:
ALTHOUGH EVERY
EFFORT HAS BEEN MADE
IN PREPARING THESE
PLANS AND CHECKING
THEM FOR ACCURACY,
THE CONTRACTOR MUST
CHECK ALL DETAILS &
DIMENSIONS AND BE
RESPONSIBLE FOR THE
SAME

8 UNIT APARTMENT
MOSKI DEVELOPMENT
BELLEVUE , WI

BAY ARCHITECTS, L L C

3019 HOLMGREN WAY
GREEN BAY, WI 54304

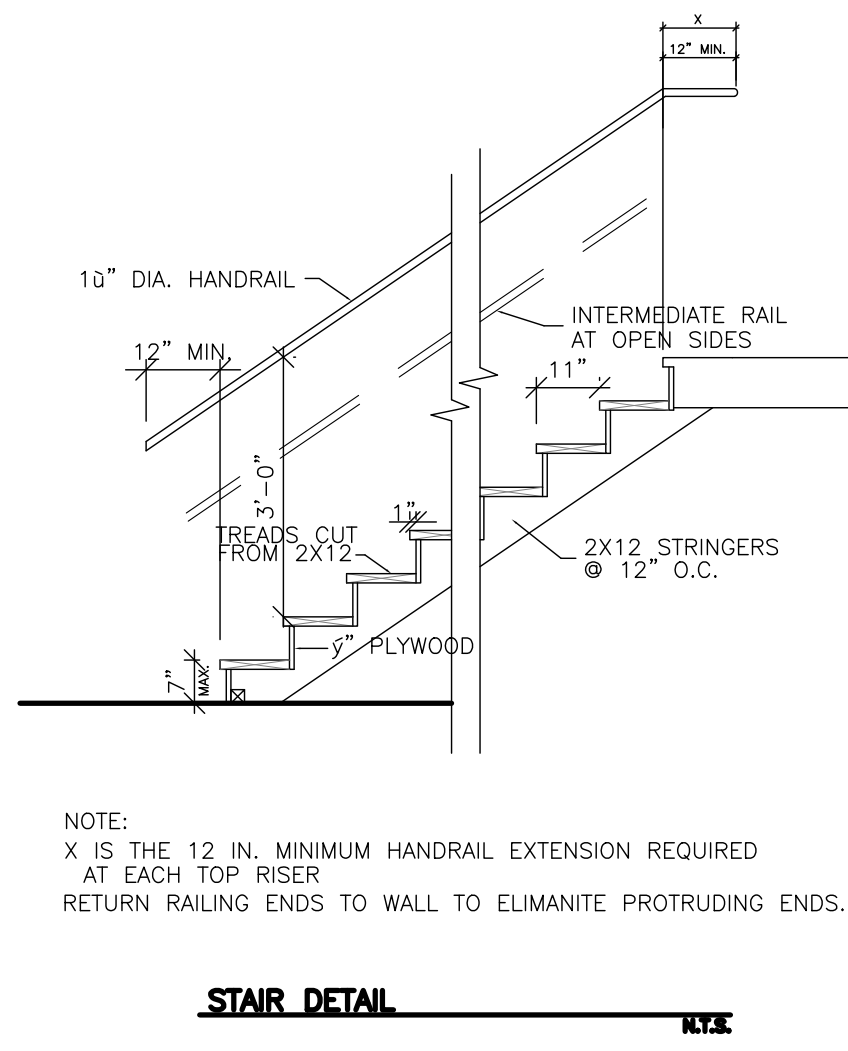
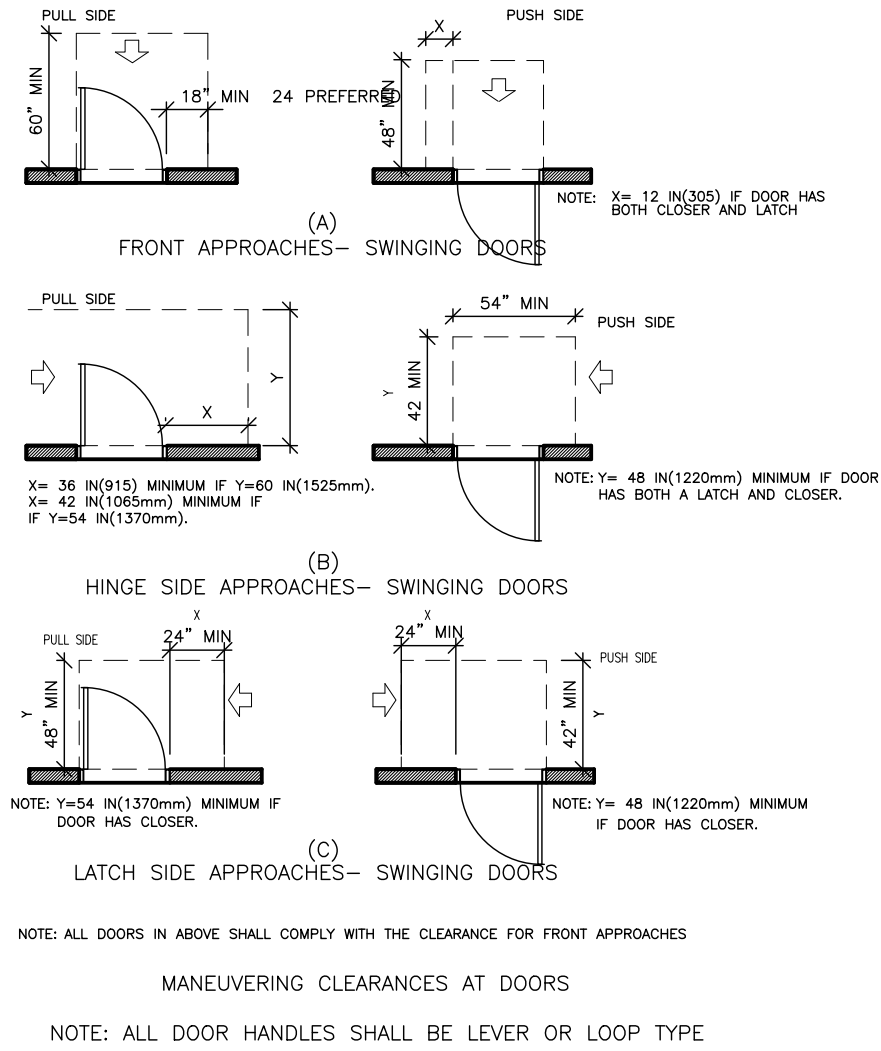
DVLCAD@TDS.NET
PHONE: 920-337-9400
FAX: 920-337-9416

DATE 4-8-14

FILE 3

JOB NO. 145307

5

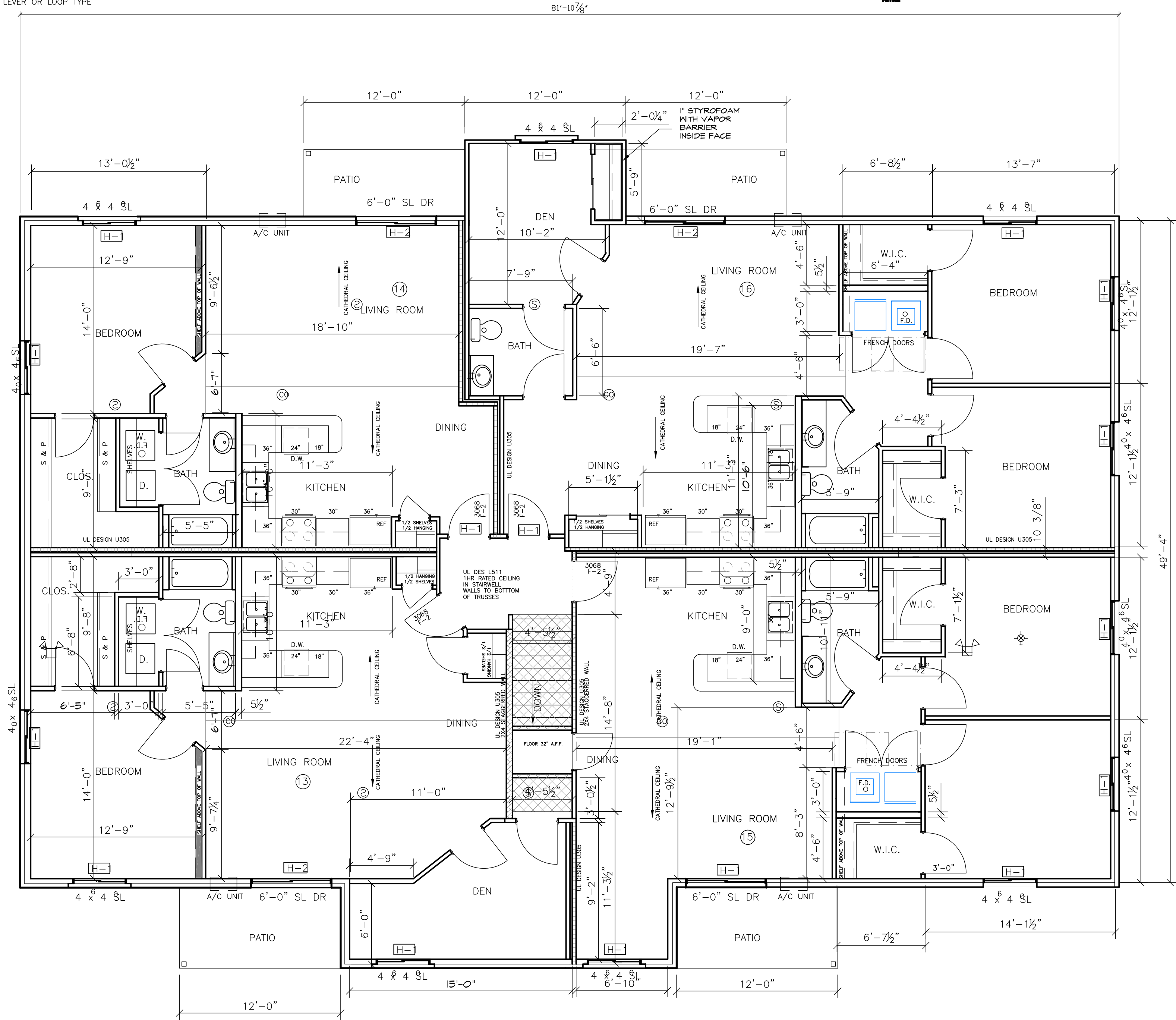


SYMBOLS

- EXHAUST FAN
- EXIT LIGHT
- C/O DETECTOR
- SMOKE DETECTOR
- MANUAL FIRE ALARM
- FIRE ALARM HORN
- F-1 20 MIN. FIRE DOOR & FR. w/ CLOSER
- F-2 1 HR. FIRE DOOR & FR. w/ CLOSER
- EMERGENCY LIGHT

MATERIALS

- FACE BRICK
- CONCRETE BLOCK
- CONCRETE
- 2X4 STUDS 16"o/c w/ 1/2" DRYWALL INTERIOR WALLS WITHIN UNITS
- UNIT SEPARATION WALL - 5/8" FIRECODE SHEETROCK EA. SIDE w/ (2x4) (2 x 6) STUDS REQUIRED BETWEEN ALL UNITS AND UNITS, UNITS AND CORRIDORS, UNITS & COMMON AREAS - U.L. DES U 305 ONE HOUR RATED



SECOND FLOOR PLAN-A - 4251 SQ. FT.

SCALE: 3/8" = 1'-0"

HEADER SCHEDULE				
HEADER	SIZE	SHOULDER STUDS	KING STUDS	COMMENTS
H-1	(2) 2x8 S.P.F. #1/#2	(2) 2 x 6	(1) 2 x 6	(1)
H-2	(2) 2"x10 SPF #1,2	(2) 2 x 6	(1) 2 x 6	(1)
H-3	(3) 2X10 SPF #1,2			
H-4	(2) 1 3/4"x12" LVL	(2) 2 x 6	(1) 2 x 6	1.9e LVL (1)
H-5	(3) 2X12 SPF #1,2	(2) 2 x 6	(1) 2 x 6	(1)
H-6	(3) 1 3/4"x14" LVL	(2) 2 x 6	(1) 2 x 6	1.9e LVL (1)

NOTES

1. FASTEN TO KING STUD w/ (8) 12d NAILS

NOTE: ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR MUST CHECK ALL DETAILS & DIMENSIONS AND BE RESPONSIBLE FOR THE SAME

8 UNIT APARTMENT
MOSKI DEVELOPMENT
BELLEVUE, WI

BAY ARCHITECTS, L L C

3019 HOLMGREN WAY
GREEN BAY, WI 54304

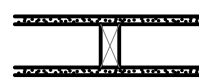
PHONE: 920-331-9400
FAX: 920-331-9416

DATE 1-24-14

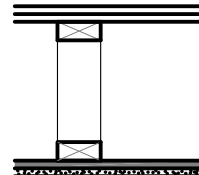
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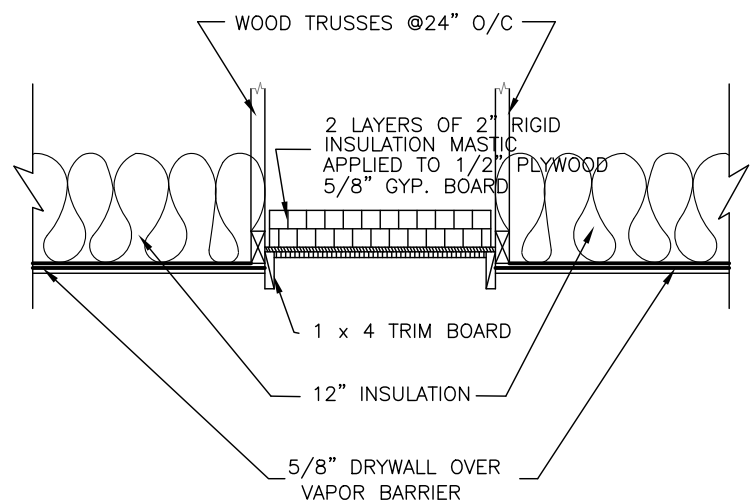
4



WD STUD - U" SHEETROCK BRAND GYPSUM PANELS, FIRECODE CORE OR SHEETROCK BRAND GYPSUM PANELS, WATER-RESISTANT, FIRECODE CORE - 2X4 16" OR 24" O.C. - PANELS NAILED 7" O.C. - 1 1/2" CEM. LTD. NAILS - JOINTS EXP. OR FIN. - PERIM. CAULKED - **UL DES U305** BASED ON 16" STUD SPACING **UL DES U314** BASED ON 24" STUD SPACING, JOINTS FIN.

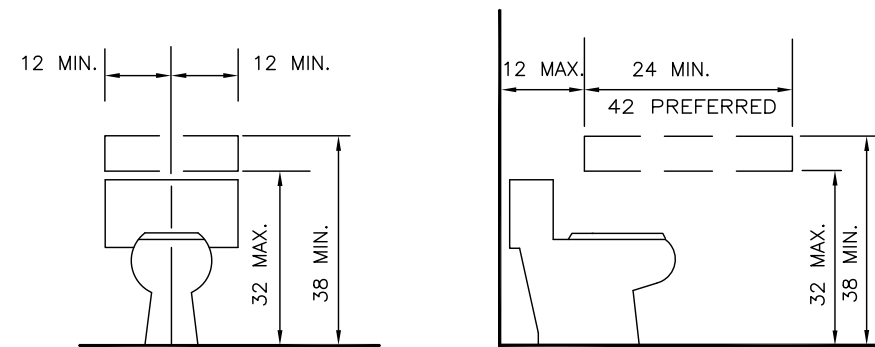


RESIL. CEILING - 5/8" SHEETROCK BRAND GYPSUM PANELS, FIRECODE C CORE - 1" NOM WD SUB & FIN FLR - FLOOR TRUSSES 24" O.C. - RC-1 CHAN SPACED 16" O.C. SCREW - ATT OVER BASE LAYER PANELS - FACE LAYER SCREW ATT. TO CHAN. 12" O.C. - JOINTS FIN. - **UL DES L528**



ATTIC ACCESS PANEL

N.T.S.

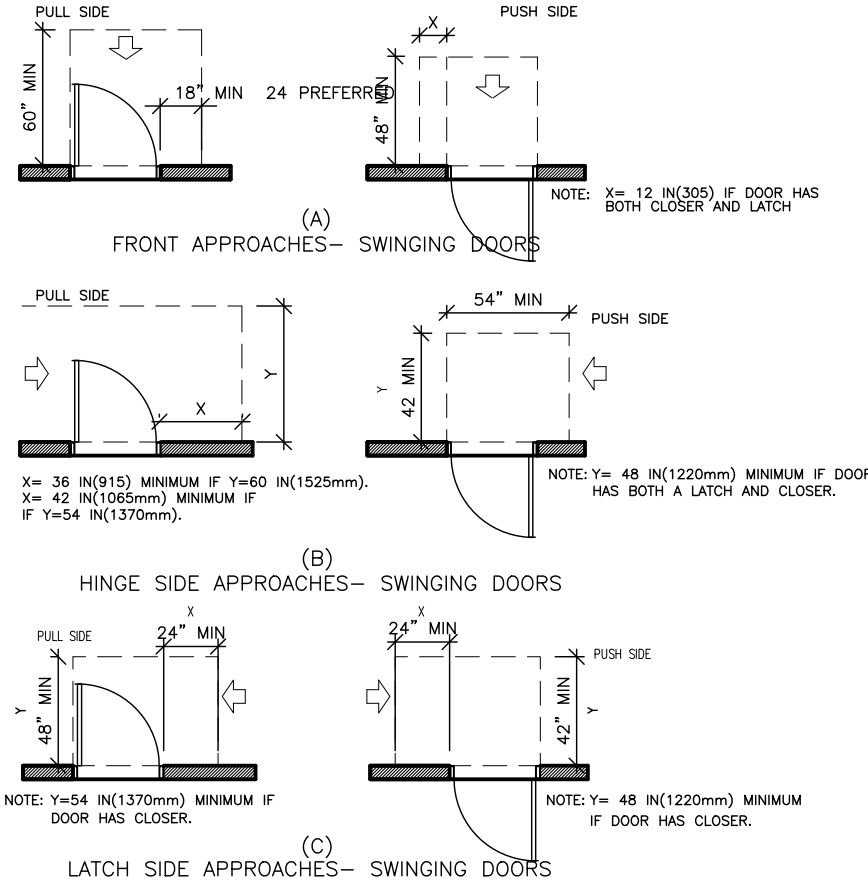


REINFORCED AREAS FOR INSTALLATION OF GRAB BARS

LOCATION OF GRAB BAR REINFORCEMENT FOR WATER CLOSETS

LOCATION OF GRAB BAR REINFORCEMENT FOR ADAPTABLE BATHTUBS

NOTE: THE AREAS OUTLINED IN DASHED LINES REPRESENT LOCATIONS FOR FUTURE INSTALLATION OF GRAB BARS FOR TYPICAL FIXTURE CONFIGURATIONS.



NOTE: ALL DOORS IN ABOVE SHALL COMPLY WITH THE CLEARANCE FOR FRONT APPROACHES

MANEUVERING CLEARANCES AT DOORS

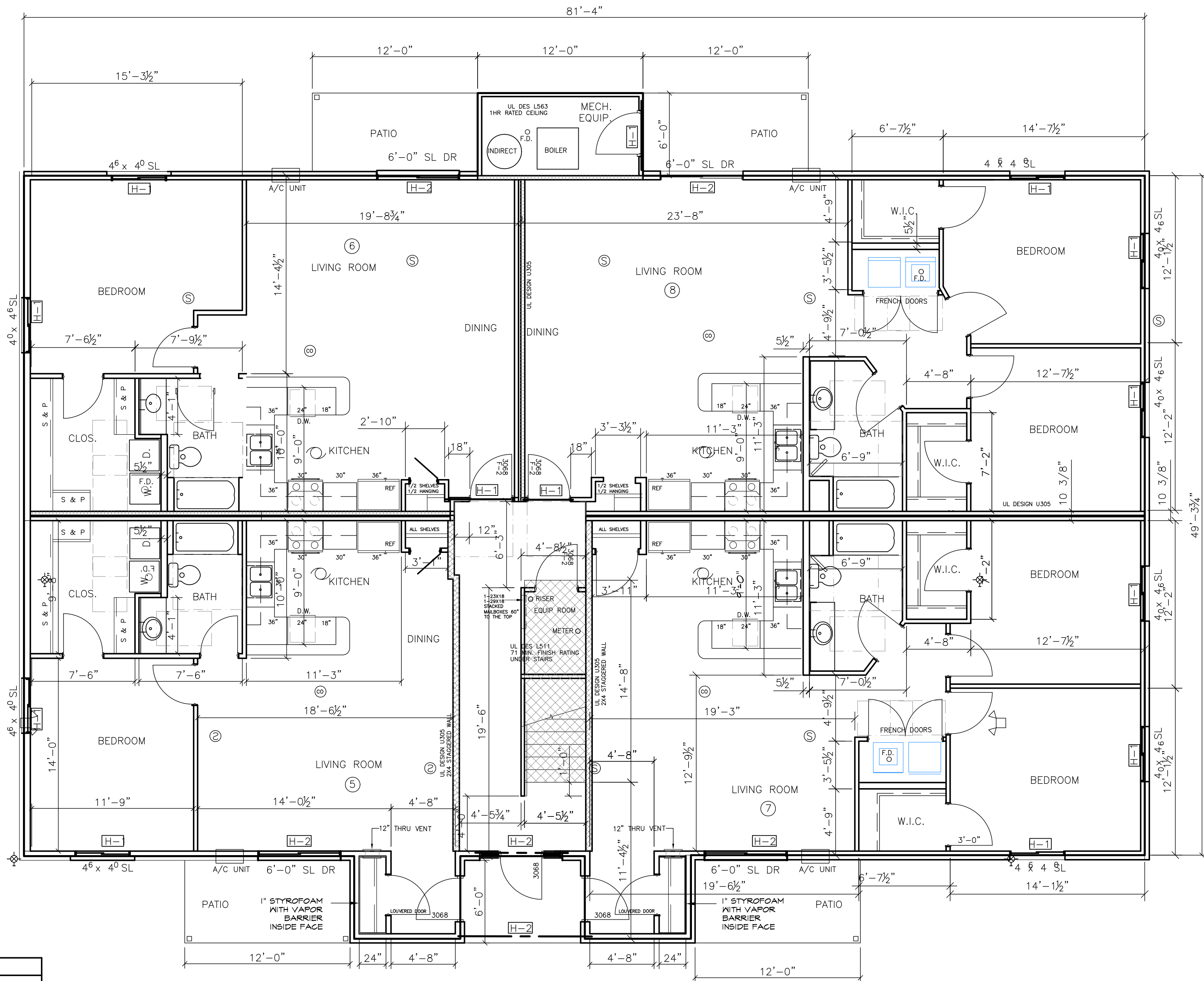
NOTE: ALL DOOR HANDLES SHALL BE LEVER OR LOOP TYPE

MATERIALS

- FACE BRICK
- CONCRETE BLOCK
- CONCRETE
- 2X4 STUDS 16"o/c w/ 1/2" DRYWALL INTERIOR WALLS WITHIN UNITS
- UNIT SEPARATION WALL - 5/8" FIRECODE SHEETROCK EA. SIDE W/ (2x4) (2 x 6) STUDS REQUIRED BETWEEN ALL UNITS AND UNITS, UNITS AND CORRIDORS, UNITS & COMMON AREAS U.L. DES U 305 ONE HOUR RATED

SYMBOLS

- EXHAUST FAN
- EXIT LIGHT
- C/O DETECTOR
- SMOKE DETECTOR
- MANUAL FIRE ALARM
- FIRE ALARM HORN
- F-1 20 MIN. FIRE DOOR & FR. w/ CLOSER
- F-2 1 HR. FIRE DOOR & FR. w/ CLOSER
- EMERGENCY LIGHT



FIRST FLOOR PLAN-A - 4251 sq.ft.

SCALE: 3/16" = 1'-0"

HEADER SCHEDULE				
HEADER	SIZE	SHOULDER STUDS	KING STUDS	COMMENTS
H-1	(2) 2x8 S.P.F. #1/#2	(2) 2 x 6	(1) 2 x 6	(1)
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NOTES

- FASTEN TO KING STUD w/ (8) 12d NAILS

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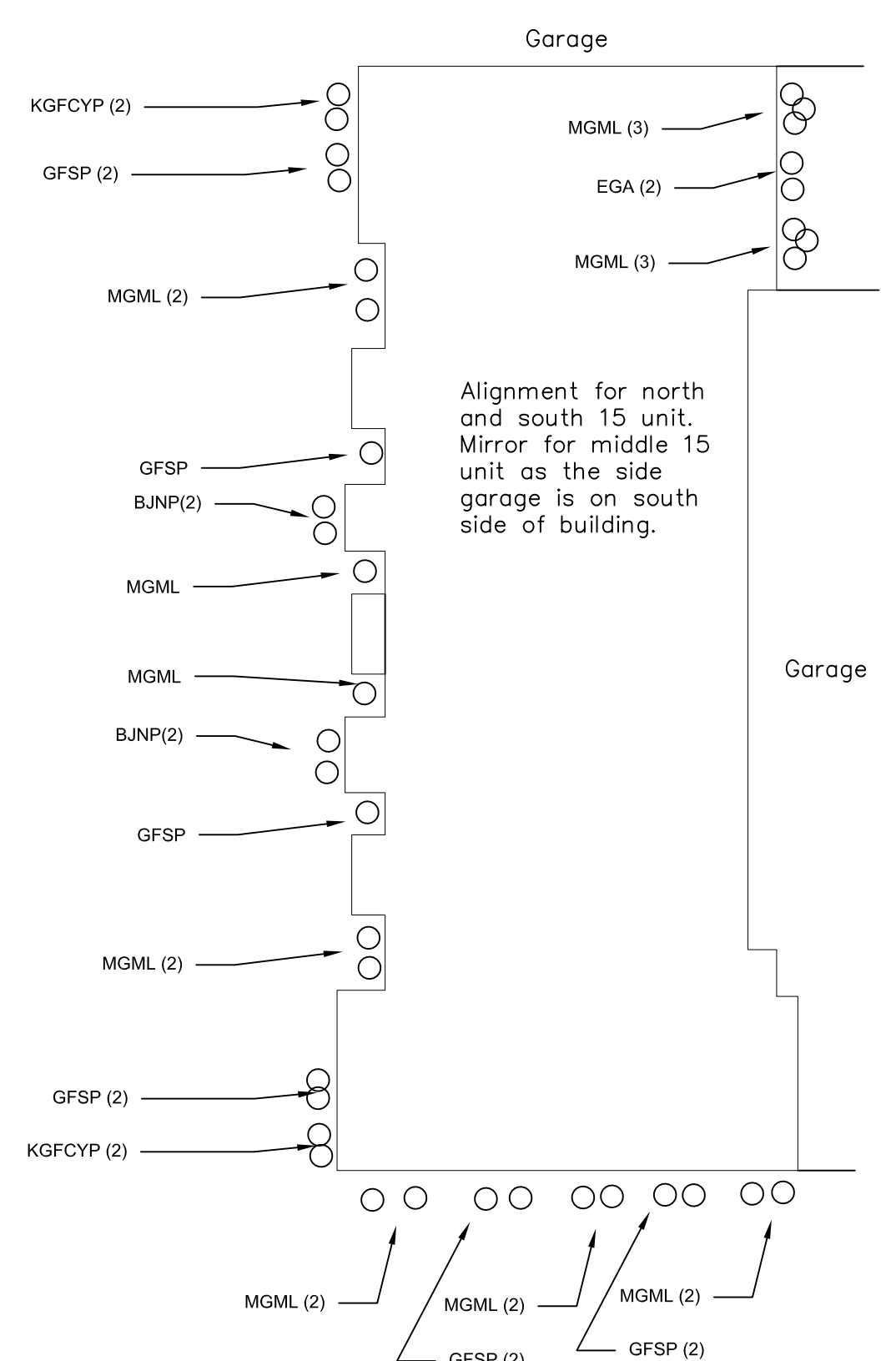
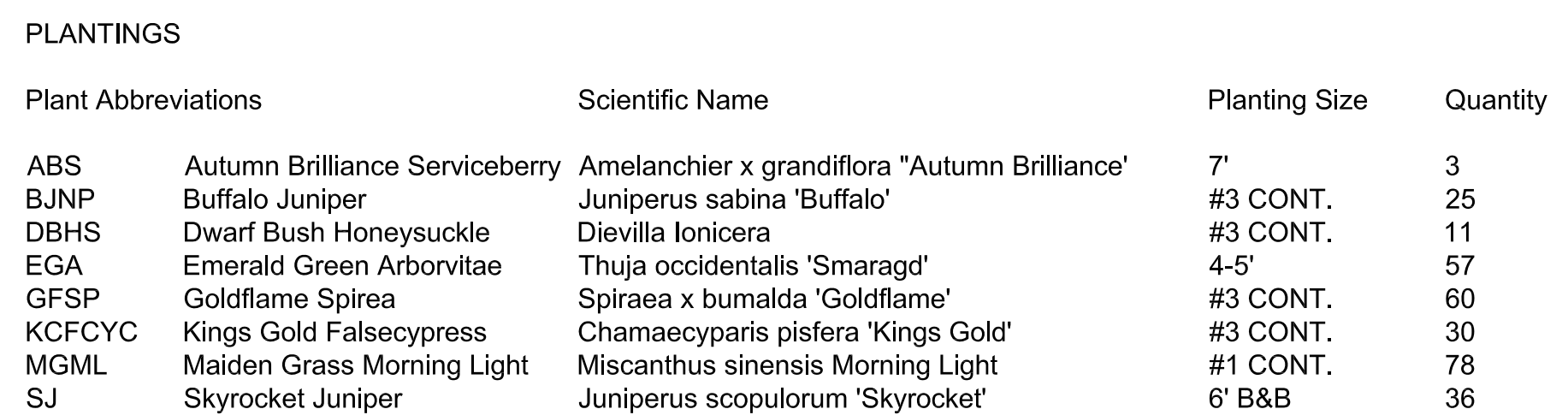
PHONE: 920-331-9400
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DATE 1-24-14

FILE 3

JOB NO. 145303

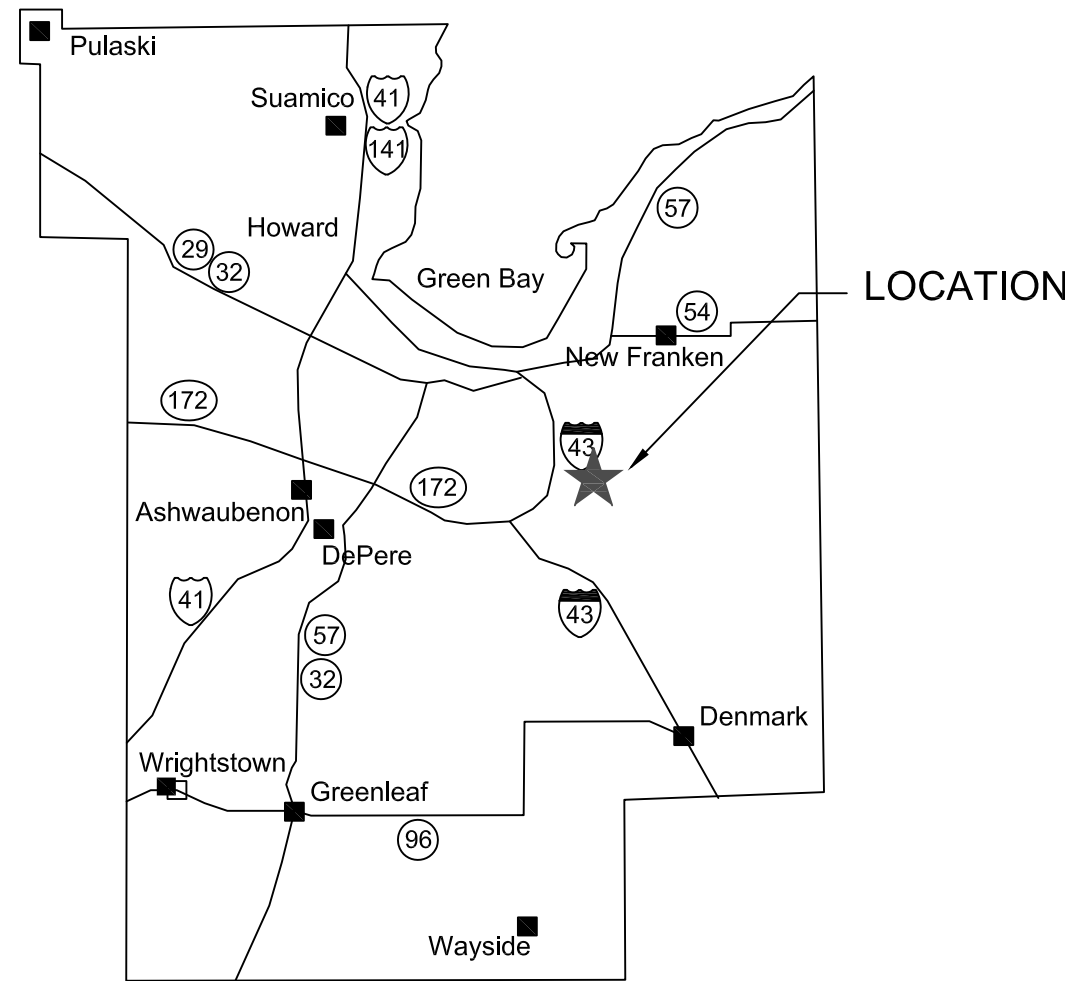
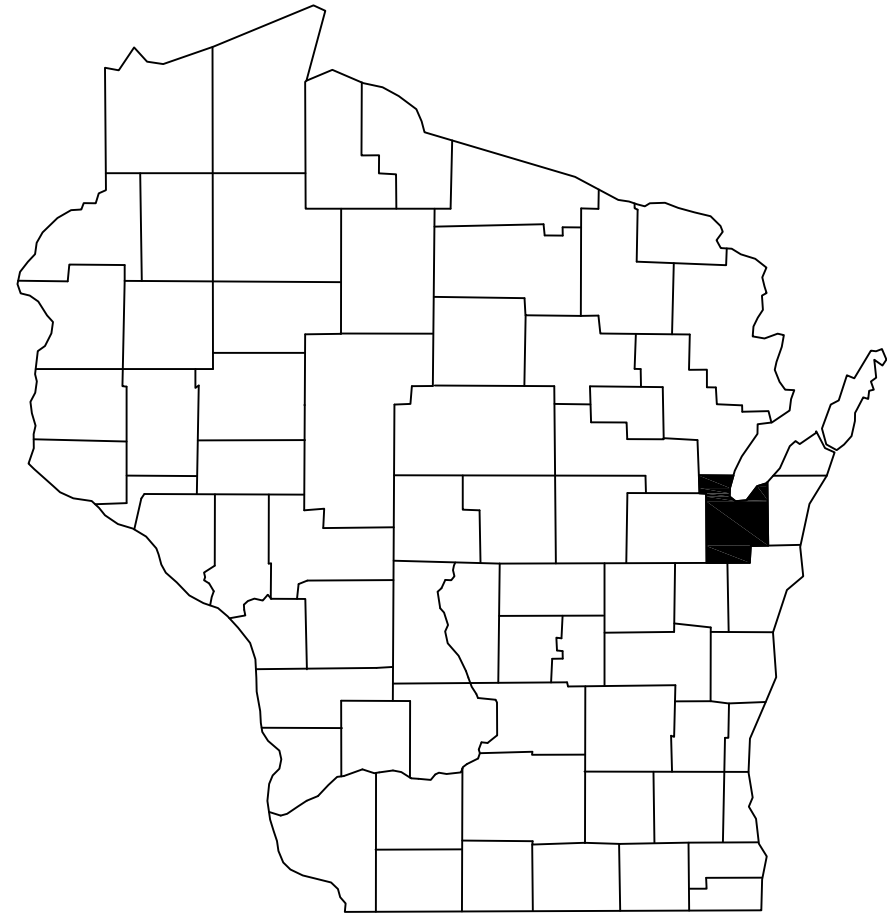
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KOSMOSKI - S. HURON ROAD APARTMENTS

SITE ENGINEERING PLANS

CITY OF GREEN BAY
BROWN COUNTY, WISCONSIN

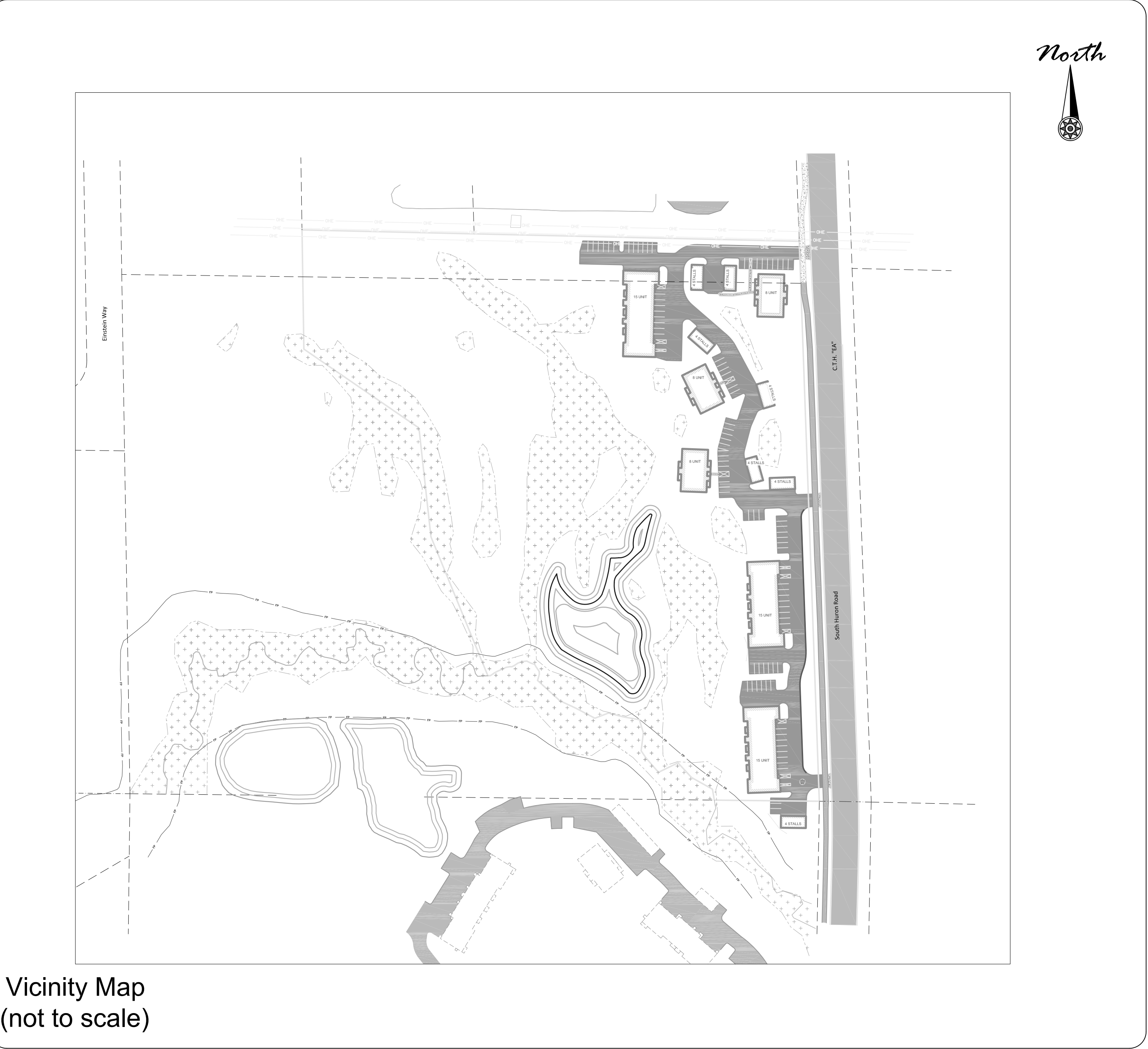


LOCATION

SITE STATISTICS

BEFORE CONSTRUCTION
SITE AREA: 32.14 ACRES
PAVEMENT: 0 ACRES (0%)
BUILDINGS: 0 ACRES (0%)
POND AREAS: 1.00 ACRES (3.11%)
GREEN SPACE: 31.14 ACRES (96.89%)
IMPERVIOUS: 1.00 ACRES (3.11%)

AFTER CONSTRUCTION
SITE AREA: 32.14 ACRES
PAVEMENT: 1.93 ACRES (6.00%)
BUILDINGS: 1.18 ACRES (3.68%)
POND: 2.90 ACRES (9.02%)
GREEN SPACE: 26.13 ACRES (81.30%)
IMPERVIOUS: 6.01 ACRES (18.70%)



Vicinity Map
(not to scale)

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

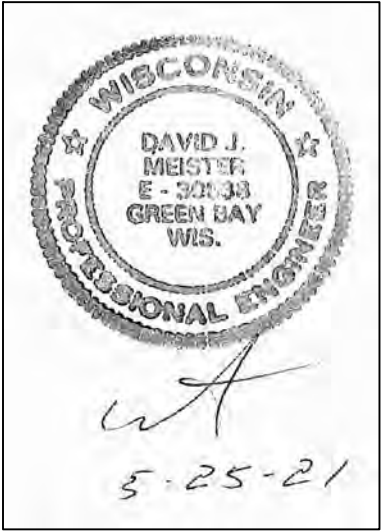
PROJECT INFORMATION

OWNER(S):	MOSKI CORP.
PROJECT NAME:	KOSMOSKI - S. HURON ROAD APARTMENTS
PROJECT DESCRIPTION:	3 - 8 UNITS & 3 -15 UNIT APARTMENT BUILDINGS. ATTACHED AND DETACHED GARAGES. STORMWATER MANAGEMENT FACILITY.
PROJECT ADDRESS:	1400 BLOCK OF S. HURON RD
PARCEL NUMBER(S):	21-183 & 21-182-3
LEGAL DESCRIPTION:	Part of the Southeast 1/4 of the Southwest 1/4 of Section 11, T23N-R21E, in the City of Green Bay, Brown County, Wisconsin, more fully described as follows: Commencing at the South 1/4 corner of Section 11, T23N-R21E; thence N89°22'38"W, 50.05 feet along the South line of the Southwest 1/4 of said Section 11 to the Western right of way of County Trunk Highway "14", also known as South Huron Road and the point of beginning; thence continuing N89°22'38"W, 130.03 feet along said South line to a point being S89°22'38"E, 77 feet more or less from centerline of a creek and the start of a meander line; thence N39°14'54"W, 353.09 feet along said meander line; thence N82°31'18"W, 318.70 feet along said meander line to a point being N22°17'27"W, 81 feet more or less from the centerline of a creek and the end of said meander line; thence N22°17'27"W, 209.28 feet; thence N61°17'04"W, 210.98 feet; thence N55°35'00"W, 268.87 feet; thence N0°54'27"W, 139.34 feet to the Southeast corner of Lot 1, Volume 44, Certified Survey Maps, Page 53, Map Number 6580, Document Number 1303183, Brown County Records; thence S89°15'14"E, 960.13 feet along the South line of Quarter 1, Volume 47, Certified Survey Maps, Page 54, Map Number 6957, Document Number 2082035, Brown County Records, to the Southeast corner thereof, and said Westerly right of way; thence S02°03'27"E, 998.93 feet along said right of way to the point of beginning.

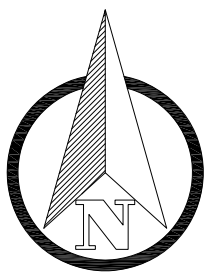
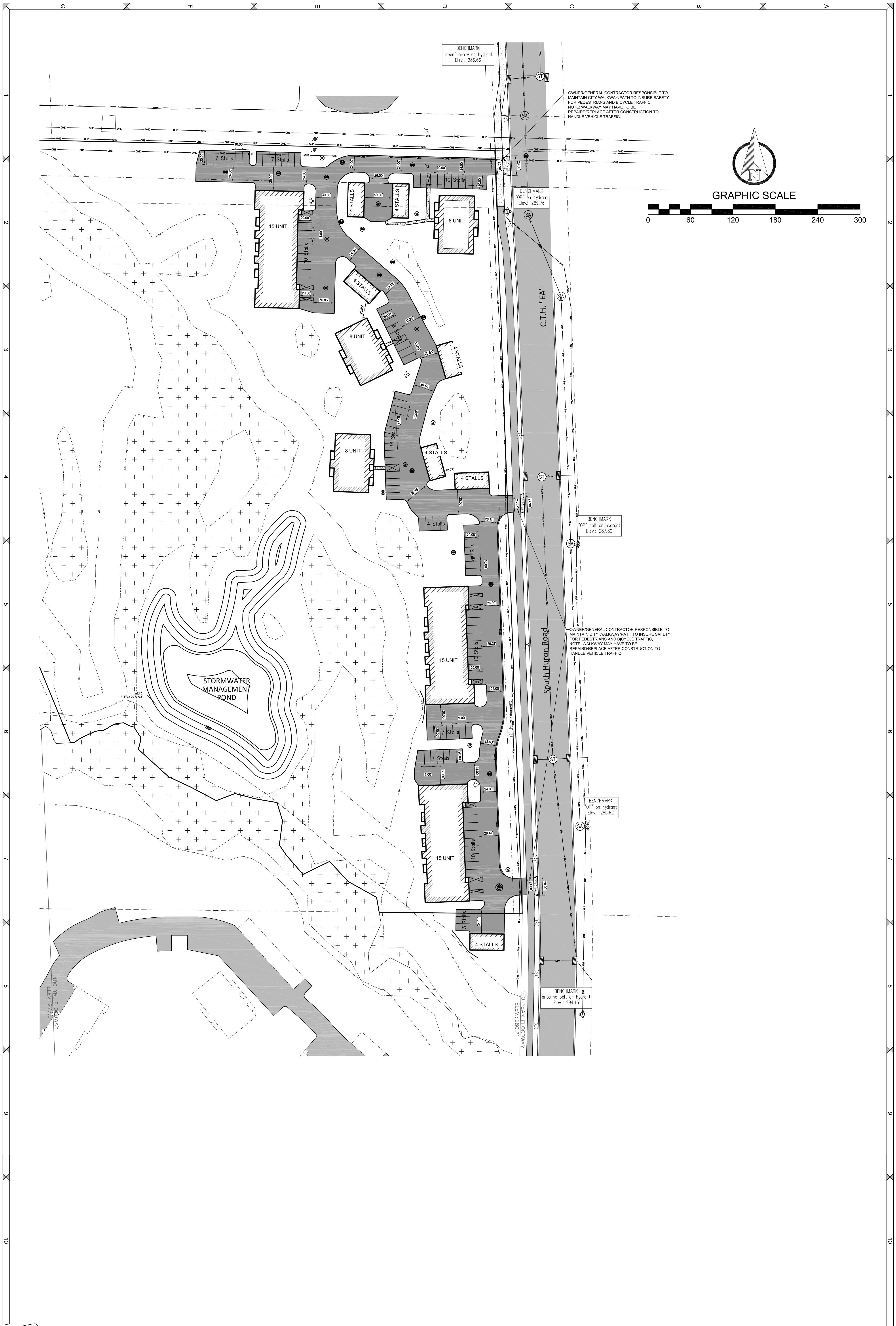
CONTACT INFORMATION

OWNER(S):	MOSKI CORP. ATTN.: PAUL KOSMOSKI 1270 MAIN ST. GREEN BAY, WI 54302 PH.: 920-432-9230
ENGINEER:	MAU & ASSOCIATES, LLP CONTACT: DAVID J. MEISTER, P.E. 400 SECURITY BLVD. GREEN BAY, WI 54313 PH.: 920-434-9670

SHEET INDEX:	
C1.0	TITLE SHEET
C2.0	SITE LAYOUT PLAN
C3.0	EROSION CONTROL PLAN
C4.0	GRADING PLAN
C5.0	SITE UTILITY PLAN
C6.0	WET POND PLAN & PROFILE
C7.0	NOTES & DETAILS (1)
C7.1	NOTES & DETAILS (2)
C8.0	PLANS FOR DSPS
C9.0	EXISTING WATERSHED
C10.0	PROPOSED WATERSHED
C11.0	LANDSCAPE PLAN
C12.0	LIGHTING PLAN



DATE:	05-25-21
PROJECT NO.	M-4420
SHEET NO.	C1.0
DRAWING NO.	S-3405



GRAPHIC SCALE



DESIGNED BY
DLM

DATA FILE
M4420.M

DATE
05-25-21

Number	Date	Comments
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-	-	-
-	-	-
-	-	-
-	-	-

MOSKI CORPORATION

SITE LAYOUT

File: M-4420Eng 052521.dwg

PROJECT NO.
M-4420

SHEET NO.
C2.0

DRAWING NO.
S-3405

Mau & Associates

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

Phone: 920-434-9670 Fax: 920-434-9672

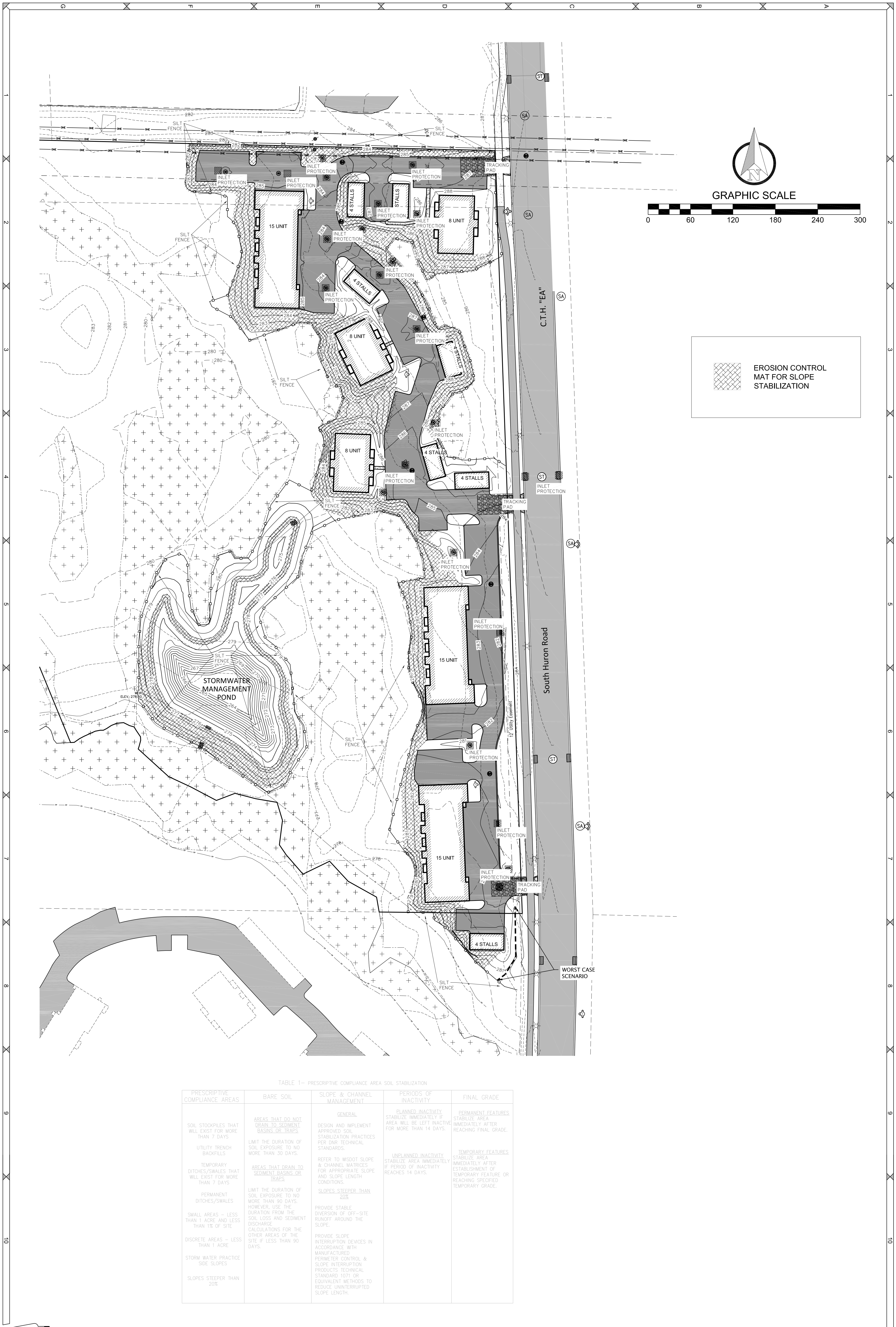


TABLE 1- PRESCRIPTIVE COMPLIANCE AREA SOIL STABILIZATION

PRESCRIPTIVE COMPLIANCE AREAS	BARE SOIL	SLOPE & CHANNEL MANAGEMENT	PERIODS OF INACTIVITY	FINAL GRADE
SOIL STOCKPILES THAT WILL EXIST FOR MORE THAN 7 DAYS	AREAS THAT DO NOT DRAIN TO SEDIMENT BASINS OR TRAPS	GENERAL	PLANNED INACTIVITY	PERMANENT FEATURES
UTILITY TRENCH BACKFILLS	LIMIT THE DURATION OF SOIL EXPOSURE TO NO MORE THAN 30 DAYS.	DESIGN AND IMPLEMENT APPROVED SOIL STABILIZATION PRACTICES PER OWN TECHNICAL STANDARDS.	STABILIZE IMMEDIATELY IF AREA WILL BE LEFT INACTIVE FOR MORE THAN 14 DAYS.	STABILIZE AREA IMMEDIATELY AFTER REACHING FINAL GRADE.
TEMPORARY DITCHES/SWALES THAT WILL EXIST FOR MORE THAN 7 DAYS	AREAS THAT DRAIN TO SEDIMENT BASINS OR TRAPS	REFER TO WSDOT SLOPE & CHANNEL MATRICES FOR APPROPRIATE SLOPE AND SLOPE LENGTH CONDITIONS.	UNPLANNED INACTIVITY	TEMPORARY FEATURES
PERMANENT DITCHES/SWALES	LIMIT THE DURATION OF SOIL EXPOSURE TO NO MORE THAN 90 DAYS. HOWEVER, USE THE DURATION FROM THE SOIL LOSS AND SEDIMENT DISCHARGE CALCULATIONS FOR THE OTHER AREAS OF THE SITE IF LESS THAN 90 DAYS.	SLOPES STEEPER THAN 20%	STABILIZE AREA IMMEDIATELY IF PERIOD OF INACTIVITY REACHES 14 DAYS.	STABILIZE AREA IMMEDIATELY AFTER ESTABLISHMENT OF TEMPORARY FEATURE OR REACHING SPECIFIED TEMPORARY GRADE.
SMALL AREAS - LESS THAN 1 ACRE AND LESS THAN 1% OF SITE		PROVIDE STABLE DIVERSION OF OFF-SITE RUNOFF AROUND THE SLOPE.		
DISCRETE AREAS - LESS THAN 1 ACRE		PROVIDE SLOPE INTERRUPTION DEVICES IN ACCORDANCE WITH MANUFACTURED PERIMETER CONTROL & SLOPE INTERRUPTION PRODUCTS TECHNICAL STANDARD 1071 OR EQUIVALENT METHODS TO REDUCE UNINTERRUPTED SLOPE LENGTH.		
STORM WATER PRACTICE SIDE SLOPES				
SLOPES STEEPER THAN 20%				

DRAWING NO.
S-3405

PROJECT NO.
M-4420

SHEET NO.
C3.0

MOSKI CORPORATION

EROSION CONTROL PLAN

File: M-4420Eng 052521.dwg

Mau & Associates

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

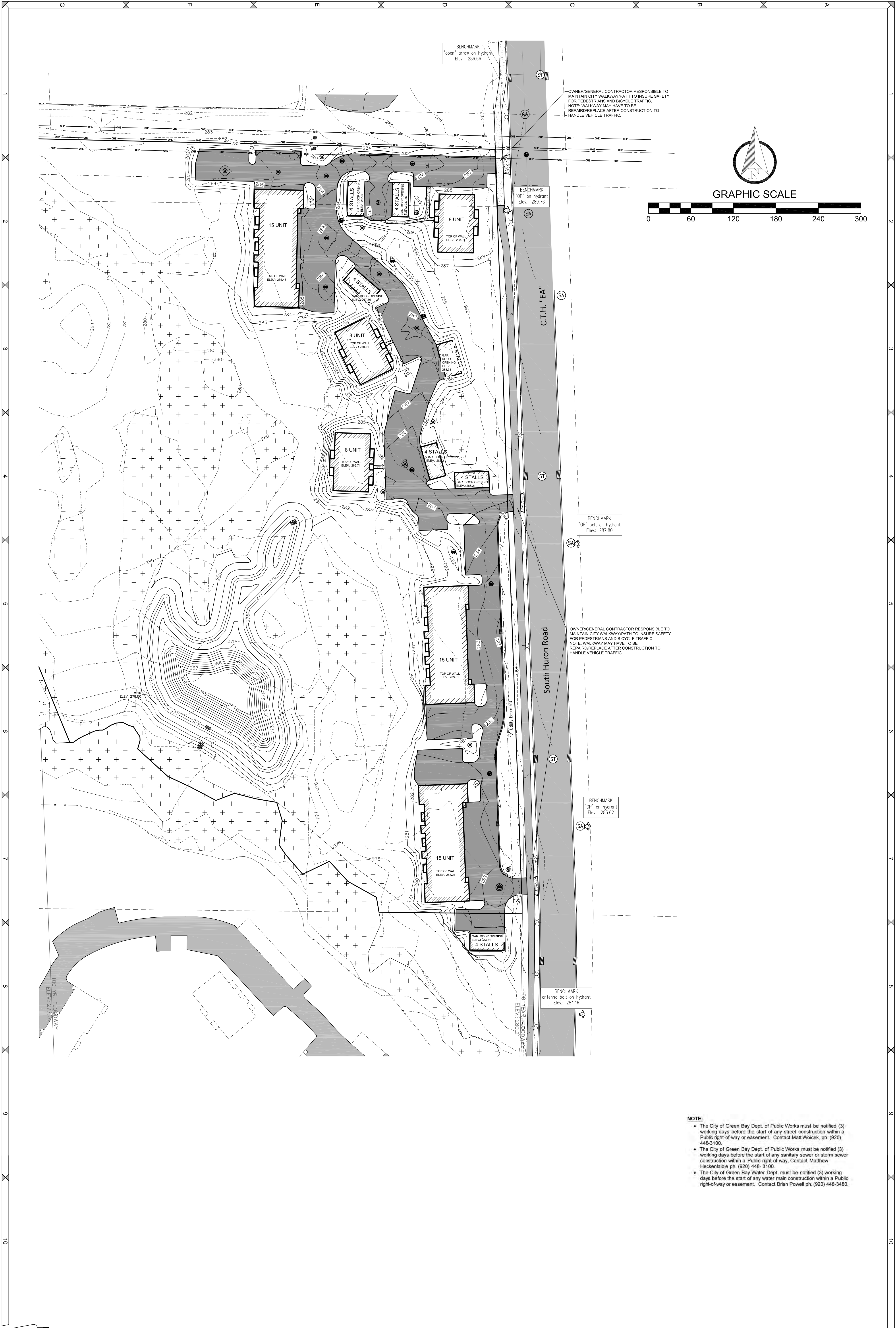
Phone: 920-434-9670 Fax: 920-434-9672

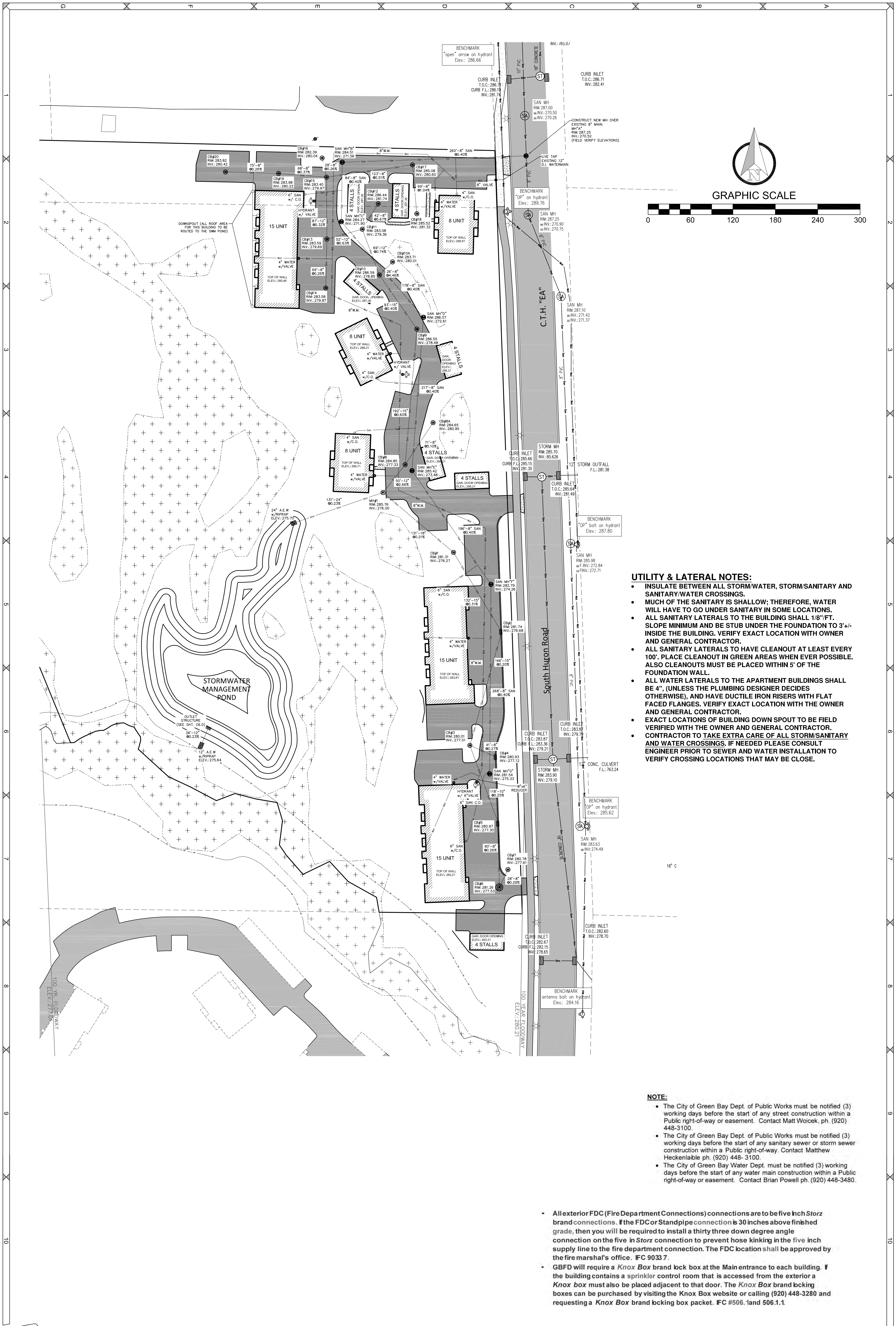
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DESIGNED BY
DJM

DATE
05-25-21

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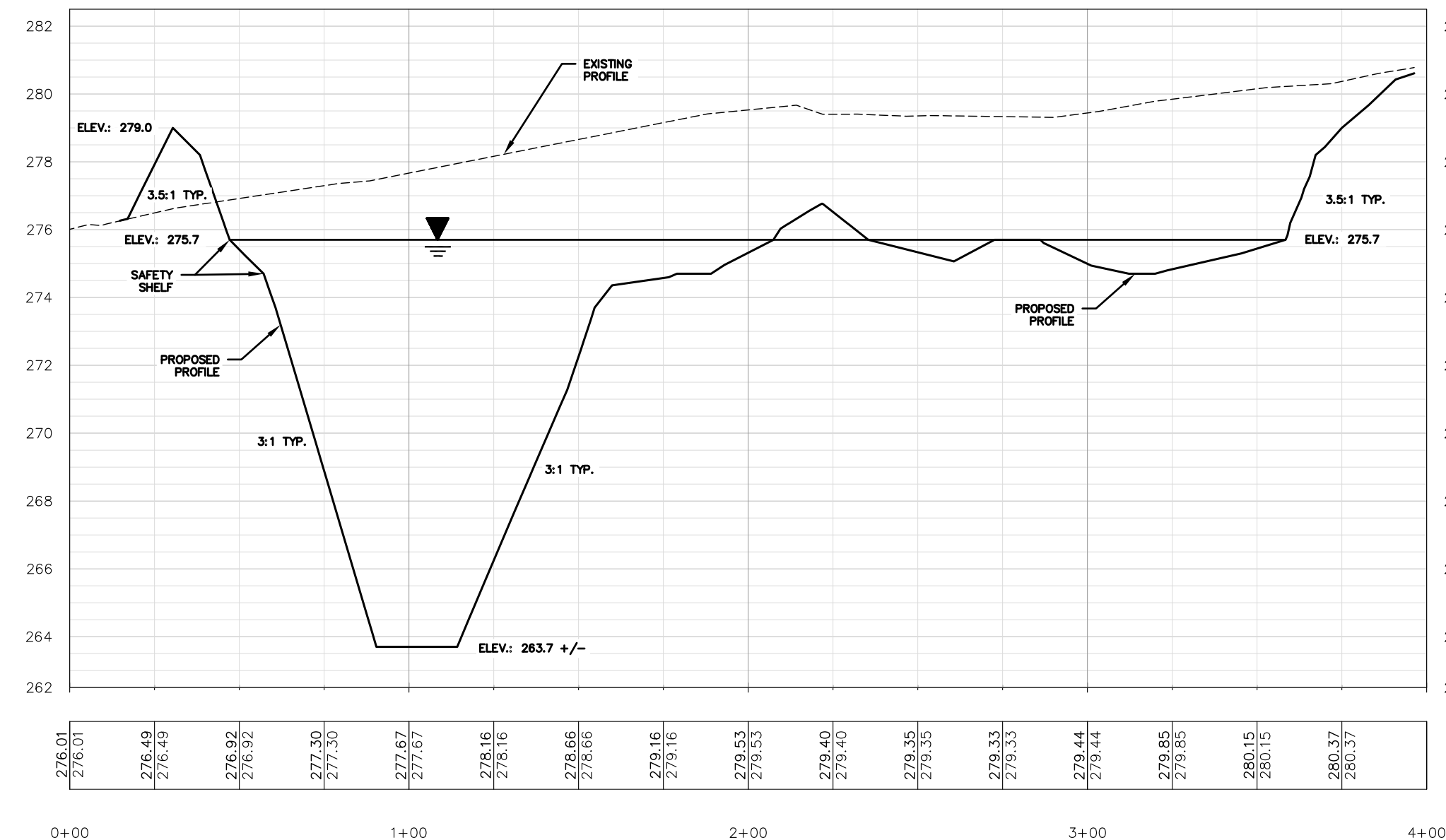
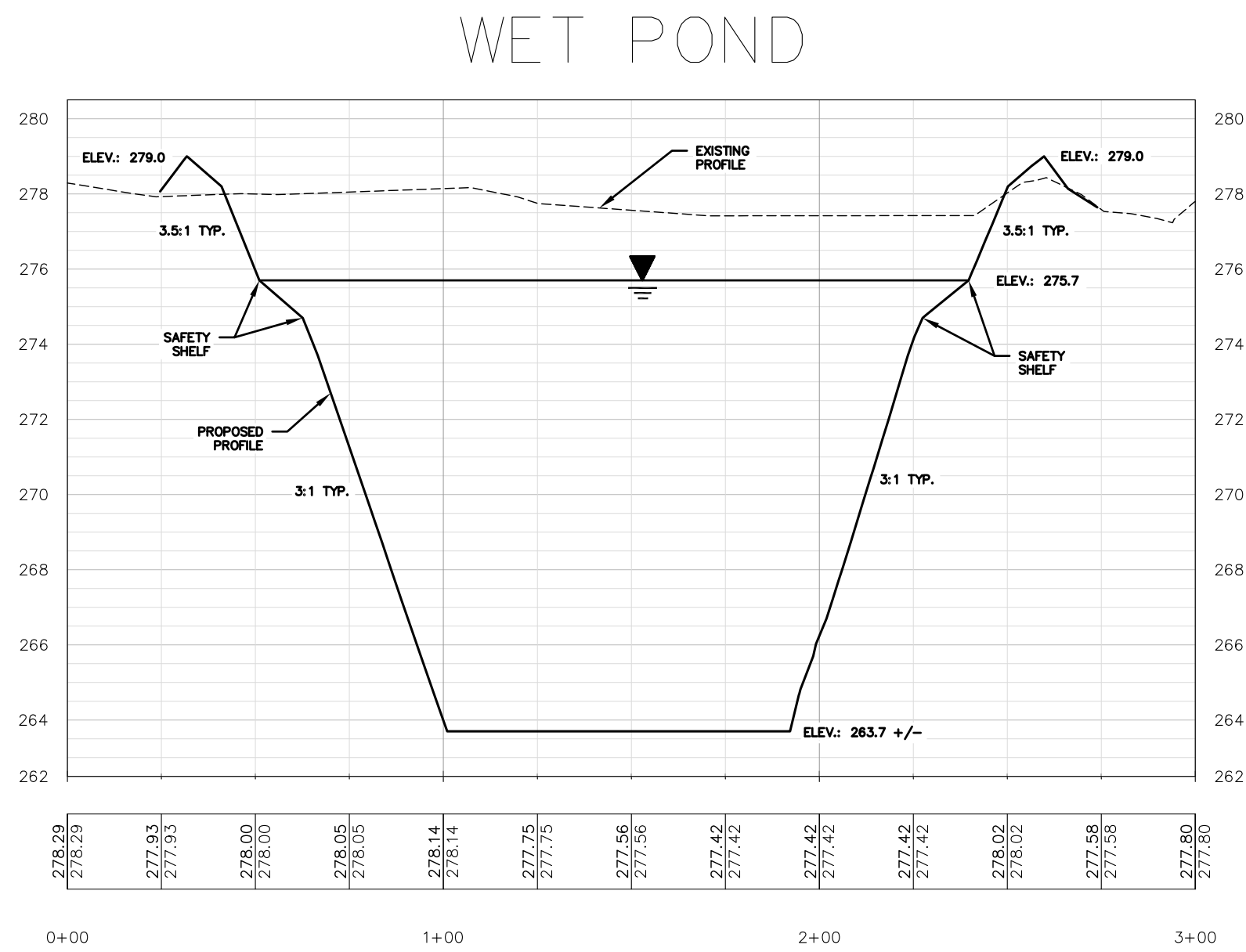
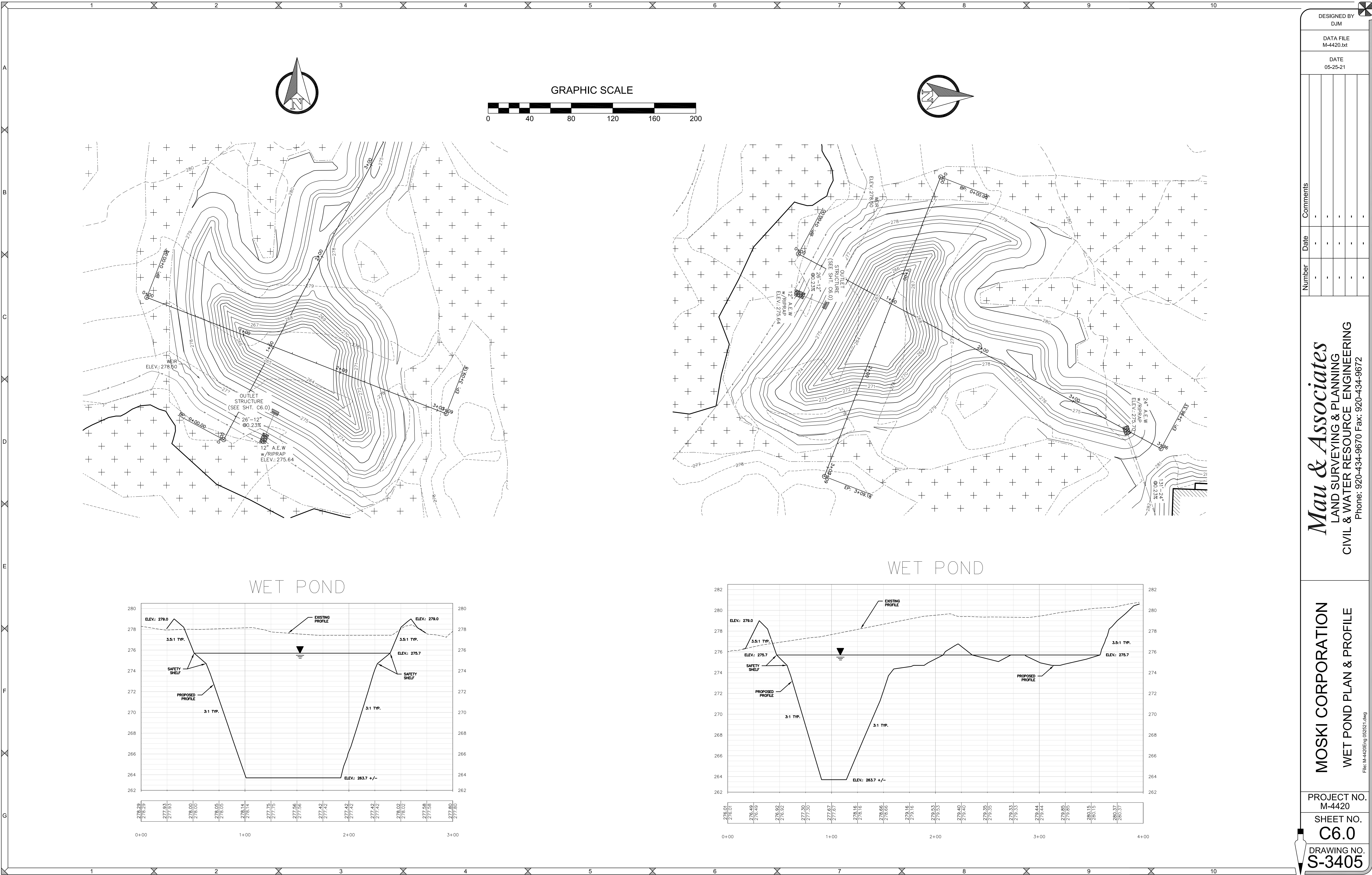


- UTILITY & LATERAL NOTES:**
- INSULATE BETWEEN ALL STORM/WATER, STORM/SANITARY AND SANITARY/WATER CROSSINGS.
 - MUCH OF THE SANITARY IS SHALLOW; THEREFORE, WATER WILL HAVE TO GO UNDER SANITARY IN SOME LOCATIONS.
 - ALL SANITARY LATERALS TO THE BUILDING SHALL 1/8"/FT. SLOPE MINIMUM AND BE STUB UNDER THE FOUNDATION TO 3'-4" INSIDE THE BUILDING. VERIFY EXACT LOCATION WITH OWNER AND GENERAL CONTRACTOR.
 - ALL SANITARY LATERALS TO HAVE CLEANOUT AT LEAST EVERY 100'. PLACE CLEANOUT IN GREEN AREAS WHEN EVER POSSIBLE. ALSO CLEANOUTS MUST BE PLACED WITHIN 5' OF THE FOUNDATION WALL.
 - ALL WATER LATERALS TO THE APARTMENT BUILDINGS SHALL BE 4", (UNLESS THE PLUMBING DESIGNER DECIDES OTHERWISE), AND HAVE DUCTILE IRON RISERS WITH FLAT FACED FLANGES. VERIFY EXACT LOCATION WITH THE OWNER AND GENERAL CONTRACTOR.
 - EXACT LOCATIONS OF BUILDING DOWN SPOUT TO BE FIELD VERIFIED WITH THE OWNER AND GENERAL CONTRACTOR.
 - CONTRACTOR TO TAKE EXTRA CARE OF ALL STORM/SANITARY AND WATER CROSSINGS. IF NEEDED PLEASE CONSULT ENGINEER PRIOR TO SEWER AND WATER INSTALLATION TO VERIFY CROSSING LOCATIONS THAT MAY BE CLOSE.

- NOTE:**
- The City of Green Bay Dept. of Public Works must be notified (3) working days before the start of any street construction within a Public right-of-way or easement. Contact Matt Woicek, ph. (920) 448-3100.
 - The City of Green Bay Dept. of Public Works must be notified (3) working days before the start of any sanitary sewer or storm sewer construction within a Public right-of-way. Contact Matthew Heckenlaible ph. (920) 448- 3100.
 - The City of Green Bay Water Dept. must be notified (3) working days before the start of any water main construction within a Public right-of-way or easement. Contact Brian Powell ph. (920) 448-3480.

- All exterior FDC (Fire Department Connections) connections are to be five inch Storz brand connections. If the FDC or Standpipe connection is 30 inches above finished grade, then you will be required to install a thirty three down degree angle connection on the five inch Storz connection to prevent hose kinking in the five inch supply line to the fire department connection. The FDC location shall be approved by the fire marshal's office. IFC 9033.7.
- GBFD will require a Knox Box brand lock box at the Main entrance to each building. If the building contains a sprinkler control room that is accessed from the exterior a Knox box must also be placed adjacent to that door. The Knox box brand locking boxes can be purchased by visiting the Knox Box website or calling (920) 448-3280 and requesting a Knox Box brand locking box packet. IFC #506.1 and 506.1.1.

DRAWING NO. S-3405	PROJECT NO. M-4420 SHEET NO. C5.0	MOSKI CORPORATION SITE UTILITY PLAN	Mau & Associates LAND SURVEYING & PLANNING CIVIL & WATER RESOURCE ENGINEERING Phone: 920-434-9670 Fax: 920-434-9672	Number	Date	Comments	DATE 05-25-21	DATA FILE M-4420.dwg	DESIGNED BY DLM
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DJM

DATA FILE
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Number	Date	Comments
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Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

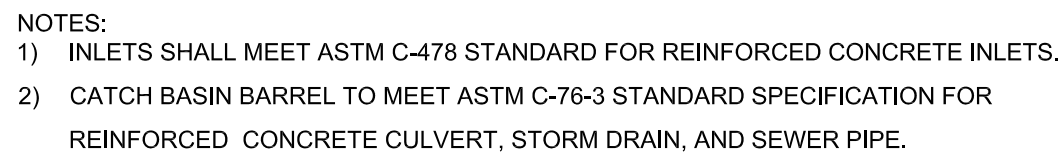
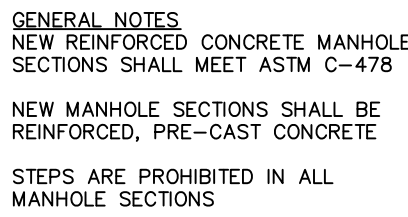
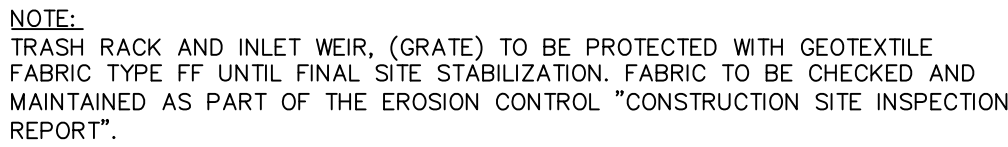
MOSKI CORPORATION
WET POND PLAN & PROFILE

PROJECT NO.
M-4420

SHEET NO.
C6.0

DRAWING NO.
S-3405

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STANDARD CATCH BASIN
N.T.S.

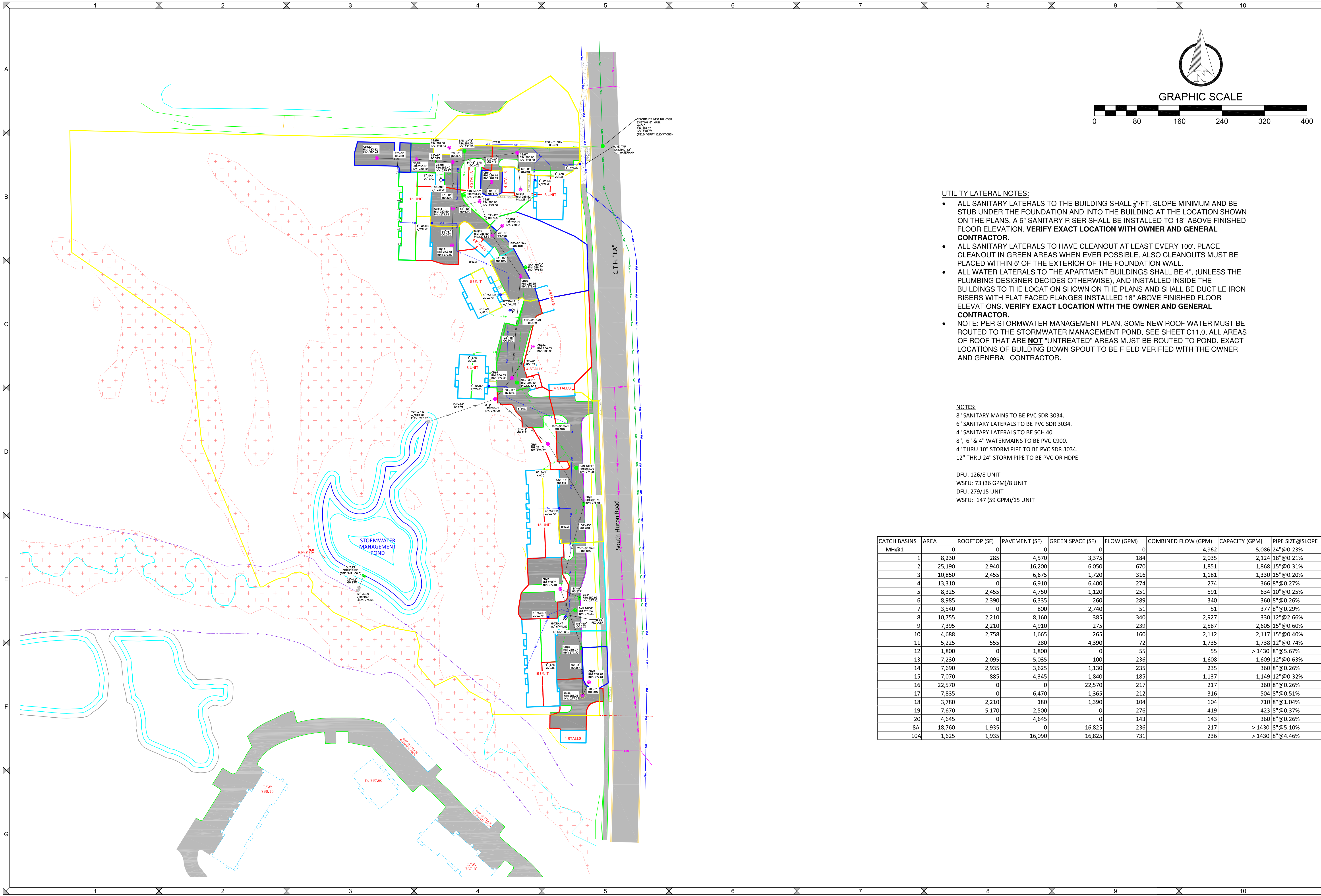
Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

MOSKI CORPORATION
NOTES & DETAILS (1)

PROJECT NO.
M-4420

SHEET NO.
C7.0

DRAWING NO.
S-3405



- UTILITY LATERAL NOTES:
- ALL SANITARY LATERALS TO THE BUILDING SHALL $\frac{1}{8}$ "/FT. SLOPE MINIMUM AND BE STUB UNDER THE FOUNDATION AND INTO THE BUILDING AT THE LOCATION SHOWN ON THE PLANS. A 6" SANITARY RISER SHALL BE INSTALLED TO 18" ABOVE FINISHED FLOOR ELEVATION. **VERIFY EXACT LOCATION WITH OWNER AND GENERAL CONTRACTOR.**
 - ALL SANITARY LATERALS TO HAVE CLEANOUT AT LEAST EVERY 100'. PLACE CLEANOUT IN GREEN AREAS WHEN EVER POSSIBLE. ALSO CLEANOUTS MUST BE PLACED WITHIN 5' OF THE EXTERIOR OF THE FOUNDATION WALL.
 - ALL WATER LATERALS TO THE APARTMENT BUILDINGS SHALL BE 4". (UNLESS THE PLUMBING DESIGNER DECIDES OTHERWISE), AND INSTALLED INSIDE THE BUILDINGS TO THE LOCATION SHOWN ON THE PLANS AND SHALL BE DUCTILE IRON RISERS WITH FLAT FACED FLANGES INSTALLED 18" ABOVE FINISHED FLOOR ELEVATIONS. **VERIFY EXACT LOCATION WITH THE OWNER AND GENERAL CONTRACTOR.**
 - NOTE: PER STORMWATER MANAGEMENT PLAN, SOME NEW ROOF WATER MUST BE ROUTED TO THE STORMWATER MANAGEMENT POND. SEE SHEET C11.0. ALL AREAS OF ROOF THAT ARE **NOT** "UNTREATED" AREAS MUST BE ROUTED TO POND. EXACT LOCATIONS OF BUILDING DOWN SPOUT TO BE FIELD VERIFIED WITH THE OWNER AND GENERAL CONTRACTOR.

NOTES:
8" SANITARY MAINS TO BE PVC SDR 3034.
6" SANITARY LATERALS TO BE PVC SDR 3034.
4" SANITARY LATERALS TO BE SCH 40
8", 6" & 4" WATERMANS TO BE PVC C900.
4" THRU 10" STORM PIPE TO BE PVC SDR 3034.
12" THRU 24" STORM PIPE TO BE PVC OR HDPE

DFU: 126/8 UNIT
WSFU: 73 (36 GPM)/8 UNIT
DFU: 279/15 UNIT
WSFU: 147 (59 GPM)/15 UNIT

CATCH BASINS	AREA	ROOFTOP (SF)	PAVEMENT (SF)	GREEN SPACE (SF)	FLOW (GPM)	COMBINED FLOW (GPM)	CAPACITY (GPM)	PIPE SIZE@SLOPE
MH@1	0	0	0	0	0	4,962	5,086	24" @0.23%
1	8,230	285	4,570	3,375	184	2,035	2,124	18" @0.21%
2	25,190	2,940	16,200	6,050	670	1,851	1,868	15" @0.31%
3	10,850	2,455	6,675	1,720	316	1,181	1,330	15" @0.20%
4	13,310	0	6,910	6,400	274	274	366	8" @0.27%
5	8,325	2,455	4,750	1,120	251	591	634	10" @0.25%
6	8,985	2,390	6,335	260	289	340	360	8" @0.26%
7	3,540	0	800	2,740	51	51	377	8" @0.29%
8	10,755	2,210	8,160	385	340	2,927	330	12" @2.66%
9	7,395	2,210	4,910	275	239	2,587	2,605	15" @0.60%
10	4,688	2,758	1,665	265	160	2,112	2,117	15" @0.40%
11	5,225	555	280	4,390	72	1,735	1,738	12" @0.74%
12	1,800	0	1,800	0	55	55	> 1430	8" @5.67%
13	7,230	2,095	5,035	100	236	1,608	1,609	12" @0.63%
14	7,690	2,935	3,625	1,130	235	235	360	8" @0.26%
15	7,070	885	4,345	1,840	185	1,137	1,149	12" @0.32%
16	22,570	0	0	22,570	217	217	360	8" @0.26%
17	7,835	0	6,470	1,365	212	316	504	8" @0.51%
18	3,780	2,210	180	1,390	104	104	710	8" @1.04%
19	7,670	5,170	2,500	0	276	419	423	8" @0.37%
20	4,645	0	4,645	0	143	143	360	8" @0.26%
8A	18,760	1,935	0	16,825	236	217	> 1430	8" @5.10%
10A	1,625	1,935	16,090	16,825	731	236	> 1430	8" @4.46%

DESIGNED BY
DJM

DATA FILE
M-4420.bxt

DATE
05-25-21

Comments

Date

Number

Mau & Associates

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

Phone: 920-434-9670 Fax: 920-434-9672

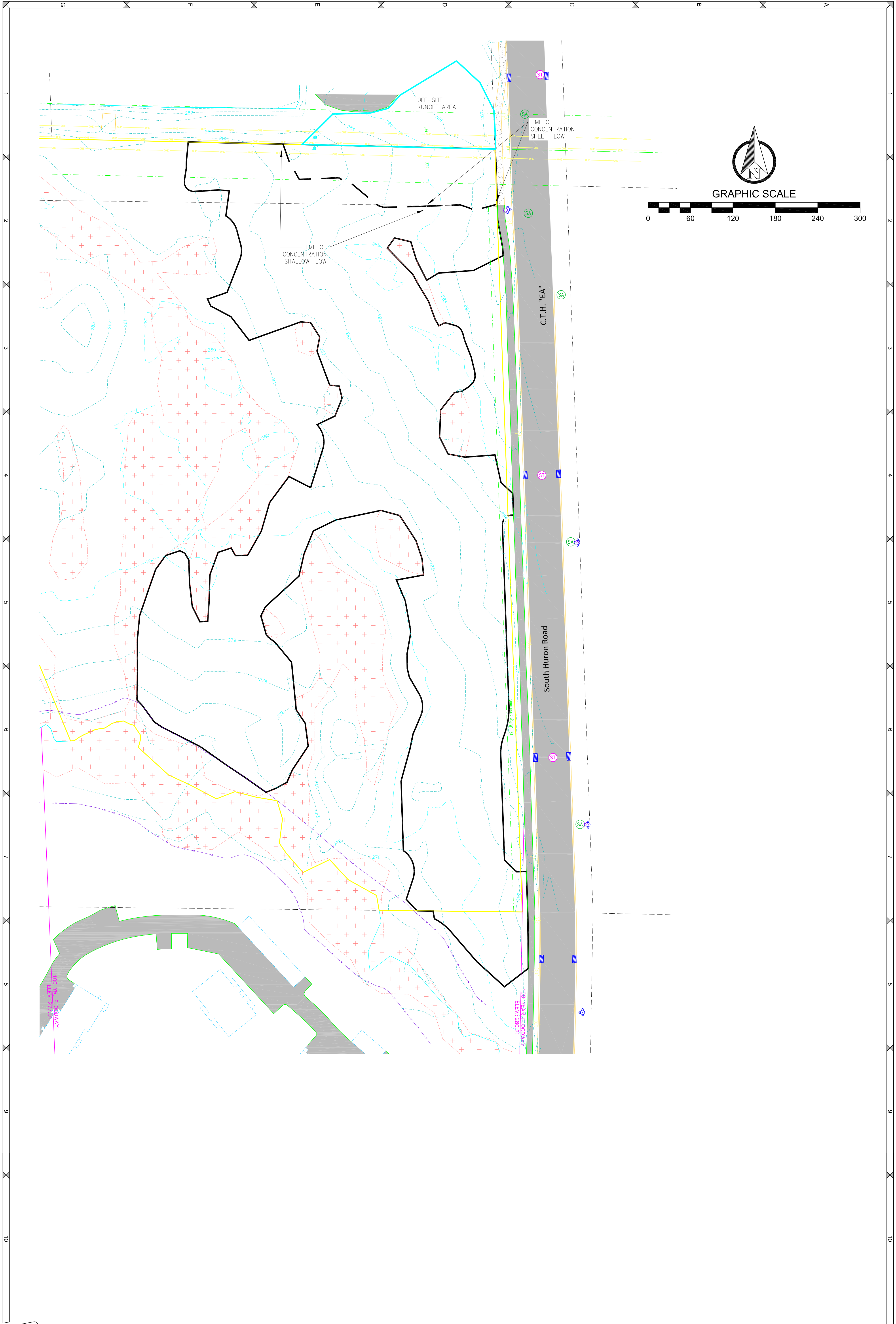
MOSKI CORPORATION

PLANS OR DSPS

PROJECT NO.
M-4420

SHEET NO.
C8.0

DRAWING NO.
S-3405



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DJM

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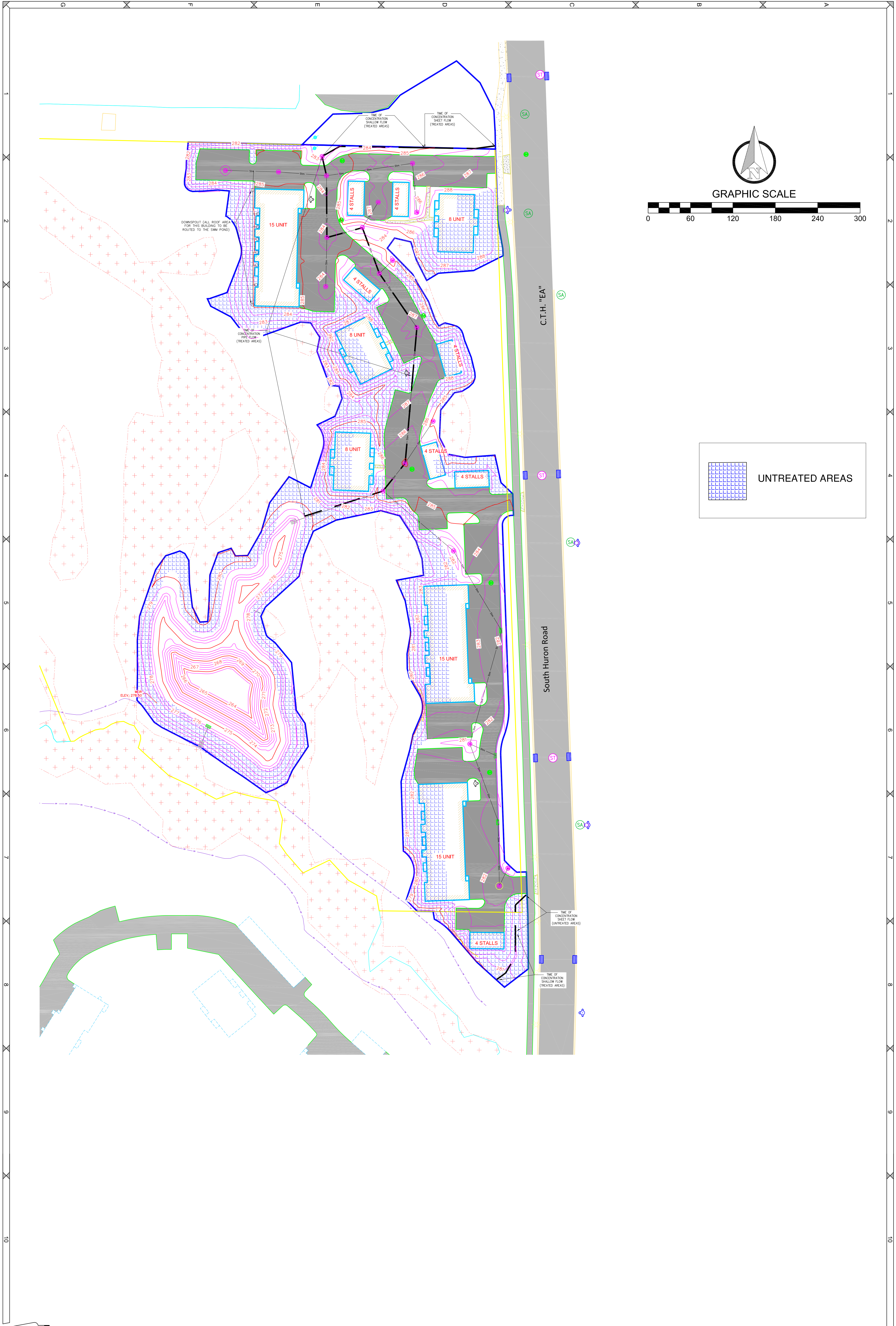
SHEET NO.
C9.0

MOSKI CORPORATION
EXISTING WATERSHED

File: M-4420Eng 052521.dwg

Mau & Associates
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

DRAWING NO.
S-3405



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D.J.M.

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05-25-21

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DRAWING NO.
S-3405

PROJECT NO.
M-4420

SHEET NO.
C10.0

MOSKI CORPORATION

PROPOSED WATERSHED

File: M-4420Eng 052521.dwg

Mau & Associates

LAND SURVEYING & PLANNING

CIVIL & WATER RESOURCE ENGINEERING

Phone: 920-434-9670 Fax: 920-434-9672



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Madison Smith

AGENDA ITEM # E.3

(ZP 21-20) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a duplex (R1) district located at the corner of 3105 Sandstone Court and 1413 Sandstone Place, submitted by Bart Rynish, The Barton Corporation, property owner (Ald. J. Brunette, District 12).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 21-20 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
3105 Sandstone Place
(ZP 21-20)**

The Green Bay Plan Commission will hold a public hearing on **Monday, August 9, 2021**, at 6:00 p.m. If you wish to participate in a public hearing, you may access the meeting by the internet or telephone using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+1 312 626 6799,,84137675822# US (Chicago)

+1 646 876 9923,,84137675822# US (New York)

[Dial by your location](#)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for construction of a duplex on this lot. This is a corner that is not an intersection. The design by the petitioner must meet visibility requirements. The request for a CUP was made on behalf of The Barton Corp. / Bart Rynish, Pres. (Ald. Jesse Brunette, District 12)

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Dept. of Community and Economic Development

Attn: Madison Smith

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Madison Smith at (920) 448-3407 or madison.smith@greenbaywi.gov.

Publication Dates: July 28, 2021 and August 2, 2021



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Madison Smith

AGENDA ITEM # E.4

(ZP 21-20) Consideration with possible action on a request to authorize authorize a Conditional Use Permit (CUP) for a duplex (RI) district located at the corner of 3105 Sandstone Court and 1413 Sandstone Place, submitted by Bart Rynish, The Barton Corporation, property owner (Ald. J. Brunette, District 12).

BACKGROUND

Primary Address: 3105 Sandstone Court, 1413 Sandstone Place

Aldersperson/District: Ald. Jesse Brunette / District 12

Reason for Request: To permit the construction of a duplex

Surrounding Zoning and Land Uses:

SUBJECT: RI (Low Density Residential-New Lots) - Development Districts: Urban Expansion

NORTH: Low Density Residential (RI) - Single-family homes

SOUTH: Low Density Residential (RI) - Single-family homes

EAST: Low Density Residential (RI) - Single-family homes

WEST: Low Density Residential (RI) - Single-family homes
Conservancy (CON) - Conservancy, Retention Pond

Comprehensive Plan: The 2022 Smart Growth Plan designates the subject area to remain the same as low density residential.

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, the proposed conditional use permit is consistent with the comprehensive plan. The proposed use of the subject property is compliant with the applicable recommended policy and the future land use map.

Report: The subject property is located on the southwest corner of 1413 Sandstone Place and 3105 Sandstone Court. The parcel is currently undeveloped vacant residential with an assessed value of \$31,700 and is zoned as Low Density Residential. The subject area is not located in a Flood Plain and relies on City Water with light traffic in the residential district. The Legal Acres is: 0.278. This subject parcel is located in the Urban Expansion Development District.

The proposal by The Barton Corporation (Bart Rynish, President) is to construct a duplex on the corner. Per the application submitted by the property owner: "The construction of a duplex will be located on a corner, not an intersection, so the lot access is safely obtained. The design allows for good visibility around

the corner.”

Barton Designs Builders have provided site plans and renders which staff believes fit the neighborhood and layout. The “L” shape provides a duplex that aesthetically is separate, but also meets inspection/utilities/safety separation for a zero lot line.

The Zoning Ordinance Section 12-205(e) establishes seven standards for the Plan Commission to consider when reviewing a conditional use permit:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
3. *The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.*
4. *Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.*
6. *The conditional use shall have adequate parking facilities as specified in subchapter [13-1700](#).*
7. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable city ordinances.*

The Zoning Code, Section 44-1580 (4) Residential Uses: Duplexes shall be designed to reflect the general architectural style of surrounding buildings. The proposed request is compliant with the CUP standards above. Section 44-554 (Table 44-2) specifies the lot dimensions, setback requirements within residential districts: Duplex (per building) R1: 7,500; the given renderings and site plans meet code. The Barton Corporation also owns adjacent property to the west.

The proposed building face on Sandstone Place will have one garage and the Sandstone Court side will have two. A two-family dwelling unit (duplex) will require a Conditional Use Permit stated in Section 44-552 of the Municipal Code. The proposed CUP does not conflict with the current and future land uses as reflected in the City’s Comprehensive Plan. Ald. Jesse Brunette and adjacent property owners have been notified of the request. As of the drafting of this report, staff has received one objection via email:

“I received a letter regarding a public hearing for a Proposed Conditional Use Permit for 3105/1413 Sandstone Place to allow Bart Rynish to build a duplex there. I am not able to attend the meeting, but I wanted to convey my concern to you. I am strongly opposed to this for two reasons. 1) The neighbors in this area would like to keep this section of Sandstone Place/S Sandstone Ct family-friendly. Constructing a rental unit creates a revolving door of unknown neighbors. 2) This will negatively affect property values in the area.”

There were no other comments or objections received.

RECOMMENDATION

Recommendation: Approval of the request, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit (CUP), including standard site plan review and approval.

FISCAL IMPACT

ATTACHMENTS

1. Application CUP 2F 3105 Sandstone Ct_1413 Sandstone Pl
2. ZP 21-20 Color Map
3. ZP 21-20 Future Landuse Map
4. ZP 21-20 Zoning Map
5. ZP 21-20 BW Map
6. ZP 21-20 Street View



REQUEST FOR CITY ACTION PLAN COMMISSION

Department of Community
and Economic Development
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax

Petitioner(s): The Barton Corp. / Bart Rynish, Pres. Date: 7/19/2021
Email: brynish@new.rr.com Phone Number: 920-609-2626
Address: P.O. Box 125 City: Suamico State: WI Zip Code: 54173
Property Owner: NXGen Investments, LLC Phone Number: 920-606-4436
Parcel Numbers (required): 6H-4425
Location of Property: Corner of Sandstone Place & Sandstone Ct in Sand Ridge Park South, First Addition

Attach maps and legal descriptions (required) and submit to the Dept. of Community and Economic Development, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, The Barton Corp. (Bart Rynish, Pres.), respectfully request that the City of Green Bay take the following action:

Attach Zoning Petition Form with first three items.

- ☐ Rezone Property (\$300.00 Review Fee)
- ☒ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☐ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 plus \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Petitioner Signature(s): Bart Rynish, Pres.

Review Fee: _____ Receipt No.: _____ Zoning Petition No.: _____

Briefly describe action desired, noting the property affected and all other pertinent information.

Attach maps and legal descriptions (required).

Allow construction of a duplex on this lot. This is a corner that is not an intersection, so lot access is safely
obtained. The design allows for good visibilty around the corner.

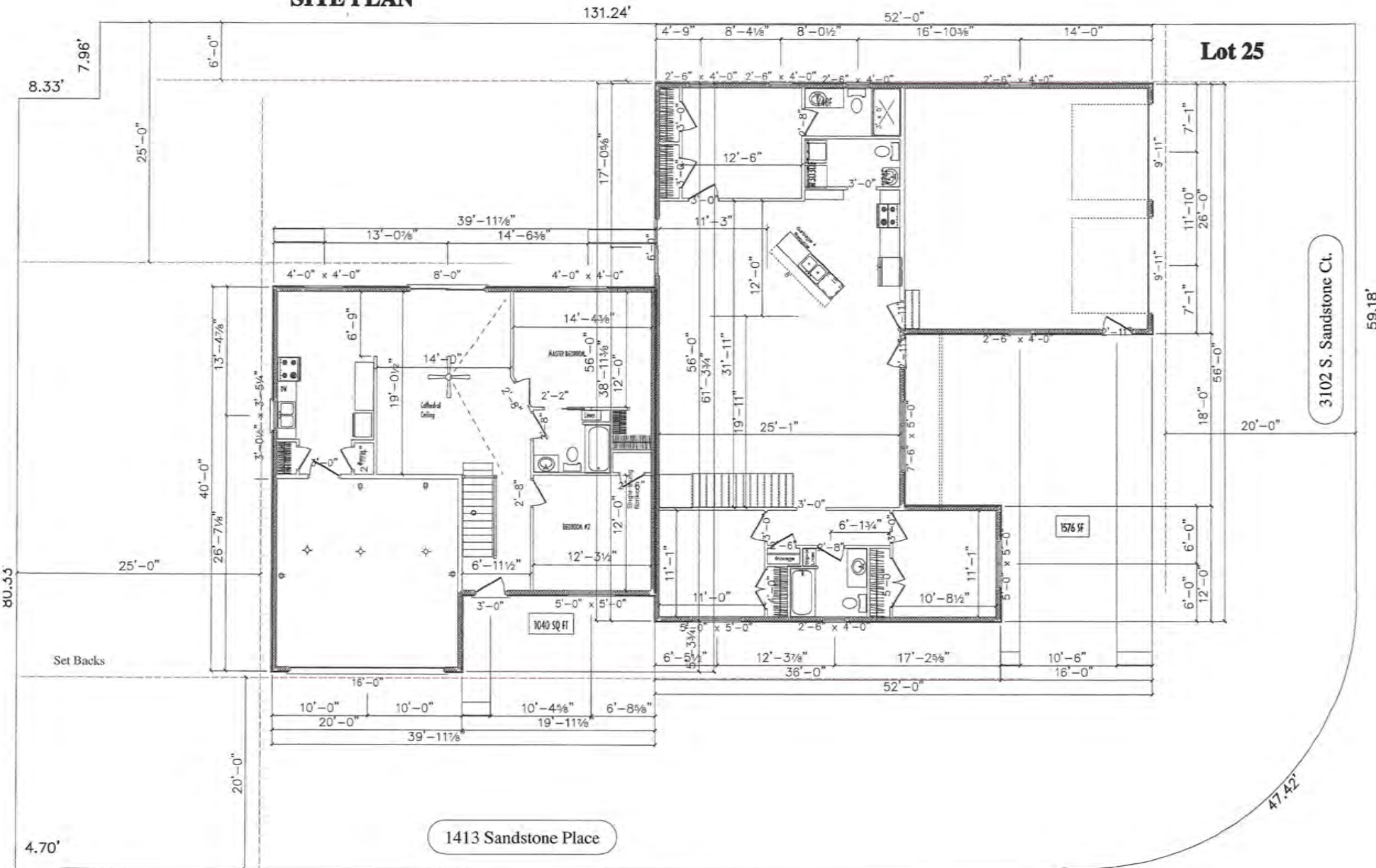
Please contact the Dept. of Community and Economic Development, Room 608, City Hall,
(920) 448-3400, if you have any questions.

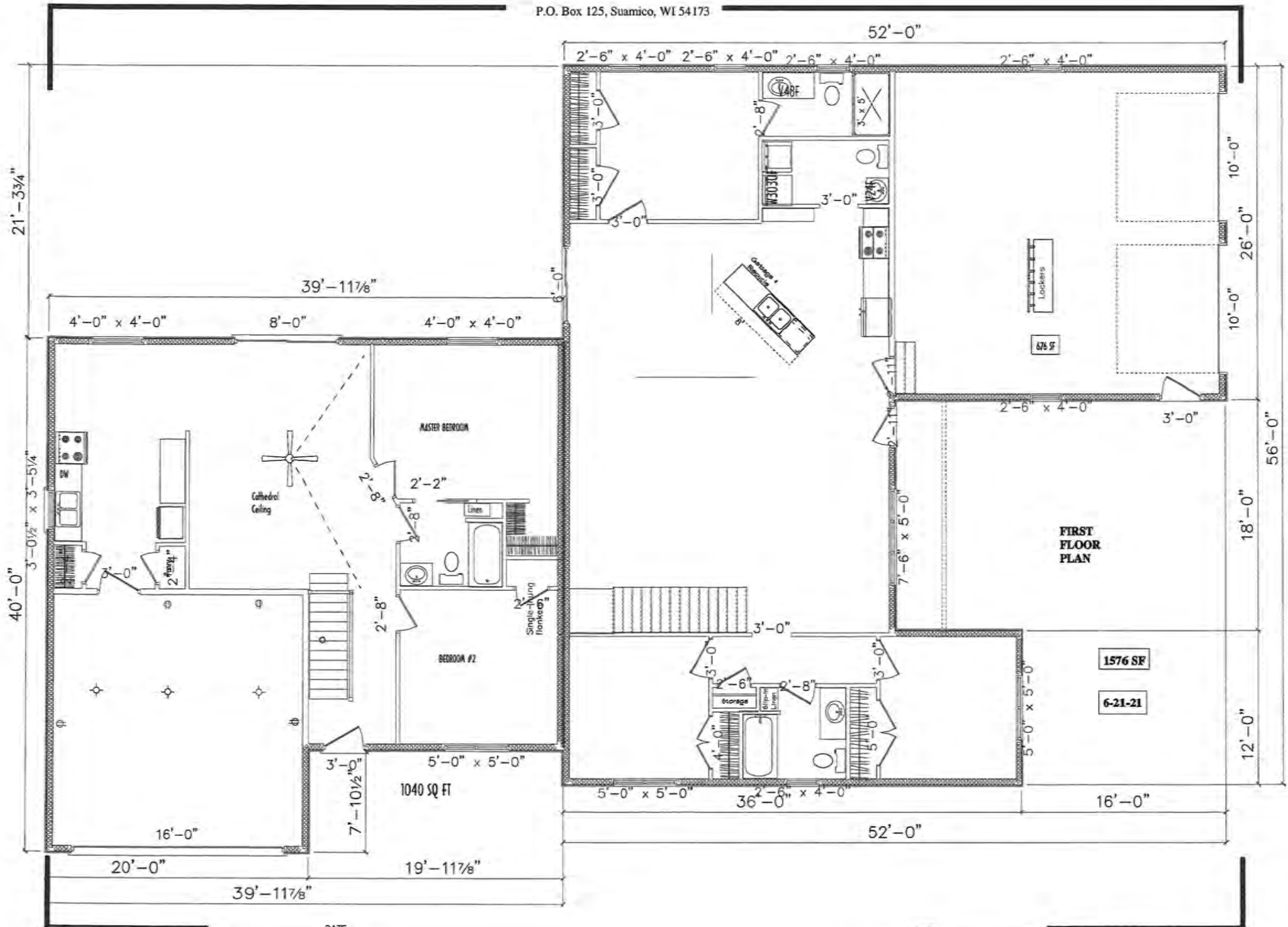
SITE PLAN

Lot 25

3102 S. Sandstone Ct.

1413 Sandstone Place





609-2626 Cellular
brynish@new.rr.com

DATE
6-21-2021
CITY
Green Bay
STREET
Lot 25, Sandstone Pl./Ct.

SIZE
2616 SF
MODEL
the Sandstone Duplex
OWNER
NXGen Investments, LLC

BARTON
DESIGNS
BUILDER



SANDSTONE PLACE - FRONT



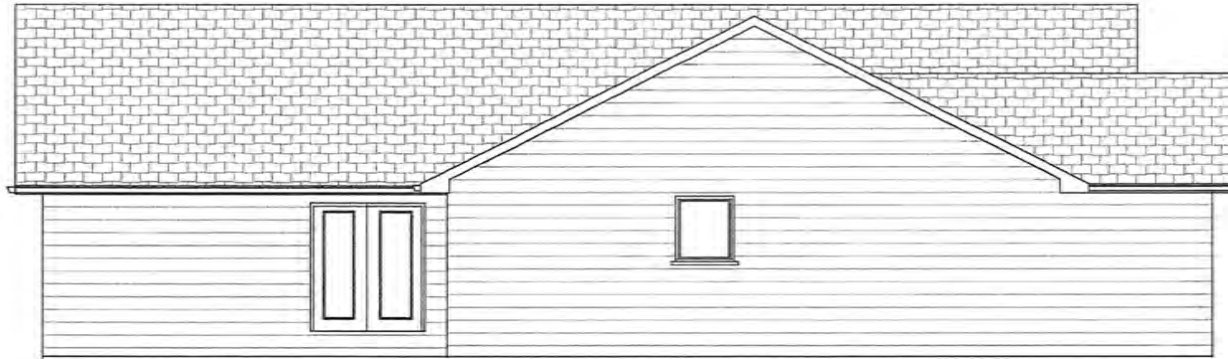
SANDSTONE COURT - FRONT

609-2626 Cellular
bryniah@new.rr.com

DATE
6-21-2021
CITY
Green Bay
STREET
Lot 25, Sandstone Pl./Ct.

SIZE
2616 SF
MODEL
the Sandstone Duplex
OWNER
NXGen Investments, LLC

BARTON
DESIGNS
BUILDER



SANDSTONE COURT - REAR



SANDSTONE PLACE - REAR

609-2626 Cellular
brynish@new.rr.com

DATE
6-21-2021
CITY
Green Bay
STREET
Lot 25, Sandstone Pl./Ct.

SIZE
2616 SF
MODEL
the Sandstone Duplex
OWNER
NXGen Investments, LLC

BARTON
DESIGNS
BUILDER

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between

The Barton Corporation of Wisconsin, Inc.

("Grantor," whether one or more), and

NXGen Investments, LLC

("Grantee," whether one or more).

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Brown County, State of Wisconsin ("Property") (If more space is needed, please attach addendum):

Lot 25, inclusive, according to the recorded Plat of Sand Ridge Park South of First Addition, in the City of Green Bay, West side of Fox River, Brown County, Wisconsin.

Recording Area

Name and Return Address:
NXGen Investments, LLC
1255 Scheuring Rd, Ste A
De Pere, WI 54115

6H-4425

Parcel Identification Number (PIN)

This is not homestead property.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, present uses of the Property in violation of the foregoing disclosed in the Grantor's (Seller's) Real Estate Condition Report, if any, and in the Offer to Purchase for the Property between the Grantor and Grantee, if any, and general taxes levied in the year of closing and will warrant and defend the same.

Dated: 6-29-21

The Barton Corporation of Wisconsin, Inc.

BY: Barton Rynish, Pres.

Barton Rynish, President

AUTHENTICATION

Signature(s): The Barton Corporation of Wisconsin, Inc.
authenticated on

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY
Erin Gonzales Scrivener / 2060346
Knight Barry Title Services LLC
840 Willard Drive, Ste 102
Green Bay, WI 54304



ACKNOWLEDGMENT

STATE OF WI
COUNTY OF braun

The instrument was acknowledged before me on
6-29-21, by Barton Rynish,
President (the signer).

The signer was:

☒ physically in my presence OR
☐ in my presence involving the use of communication
technology

Notary Public: Erin M. Gonzales
Notary Public, State of WI
My commission (is permanent)(expires: 2-19-25)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

© 2003 STATE BAR OF WISCONSIN

WARRANTY DEED

*Type name below signatures

FORM NO. 1-2003

BARTON DESIGNS BUILDER

19636

Check # Date Payee
19636 07/18/2021 CITY OF GREEN BAY

Memo
6H-4425 Conditional Use
Request

Amount
300.00

BARTON
DESIGNS
BUILDER

P.O. Box 125
Suamico, WI 54173-0125
1-920-434-4848

NICOLET NATIONAL BANK
111 N WASHINGTON ST
GREEN BAY, WI 54301
79-1793/759

19636

Three Hundred and 00/100thsDollars

PAY
TO THE
ORDER
OF: CITY OF GREEN BAY

DATE	AMOUNT
07/18/2021	***\$300.00

Bart Rynish, Pres.
AUTHORIZED SIGNATURE

⑈019636⑈ ⑆075917937⑆ 14500223⑈

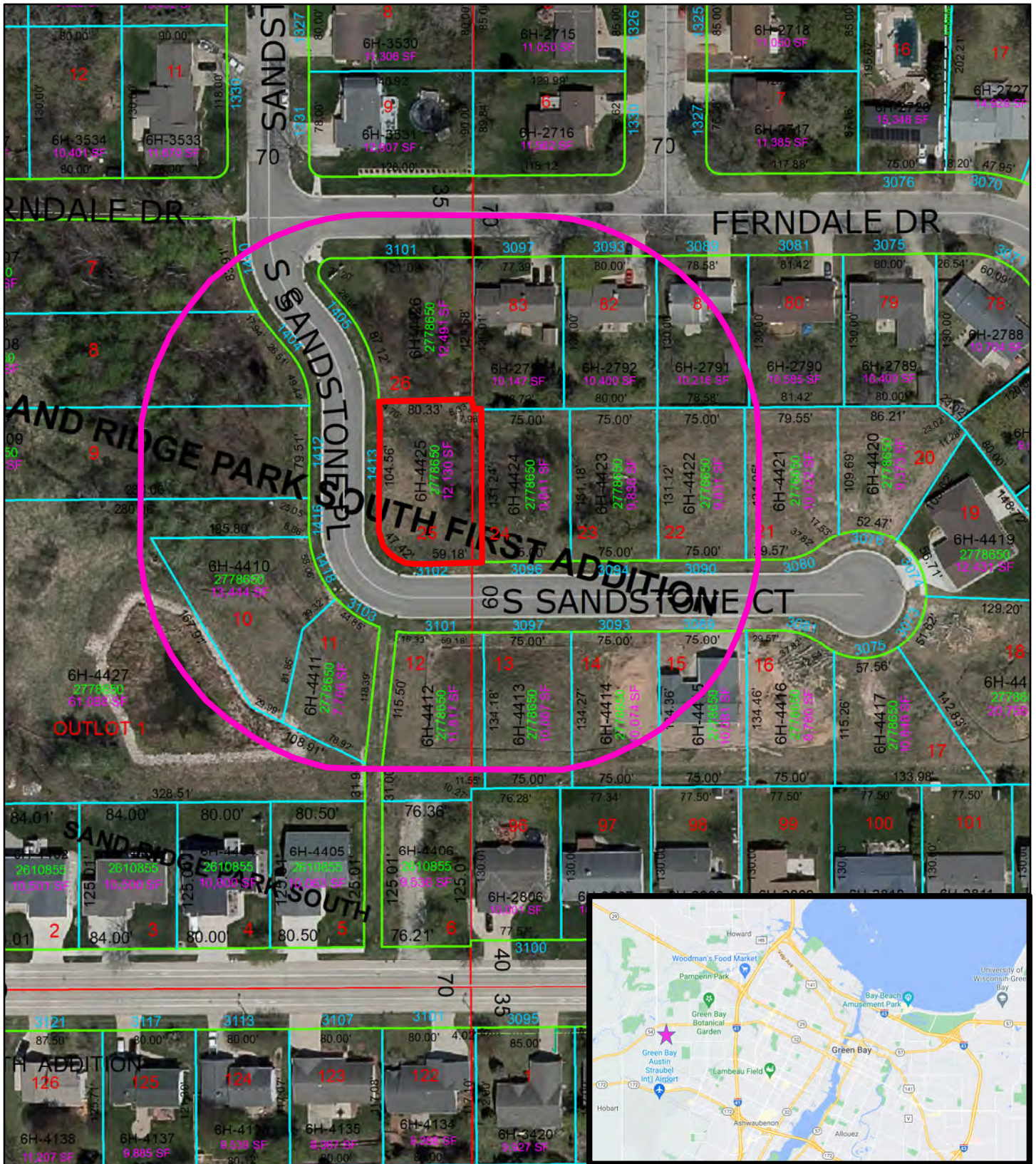
BARTON DESIGNS BUILDER

19636

Check # Date Payee
19636 07/18/2021 CITY OF GREEN BAY

Memo
6H-4425 Conditional Use
Request

Amount
300.00



(ZP 21-20) Conditional Use Permit (CUP)
 Duplex 1413 Sandstone Place
 Green Bay, WI, 54313

0 30 60 120 Feet

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. MS

Parcel Numbers:
 6H-4425

- Subject Parcels
- Notification Area 200'

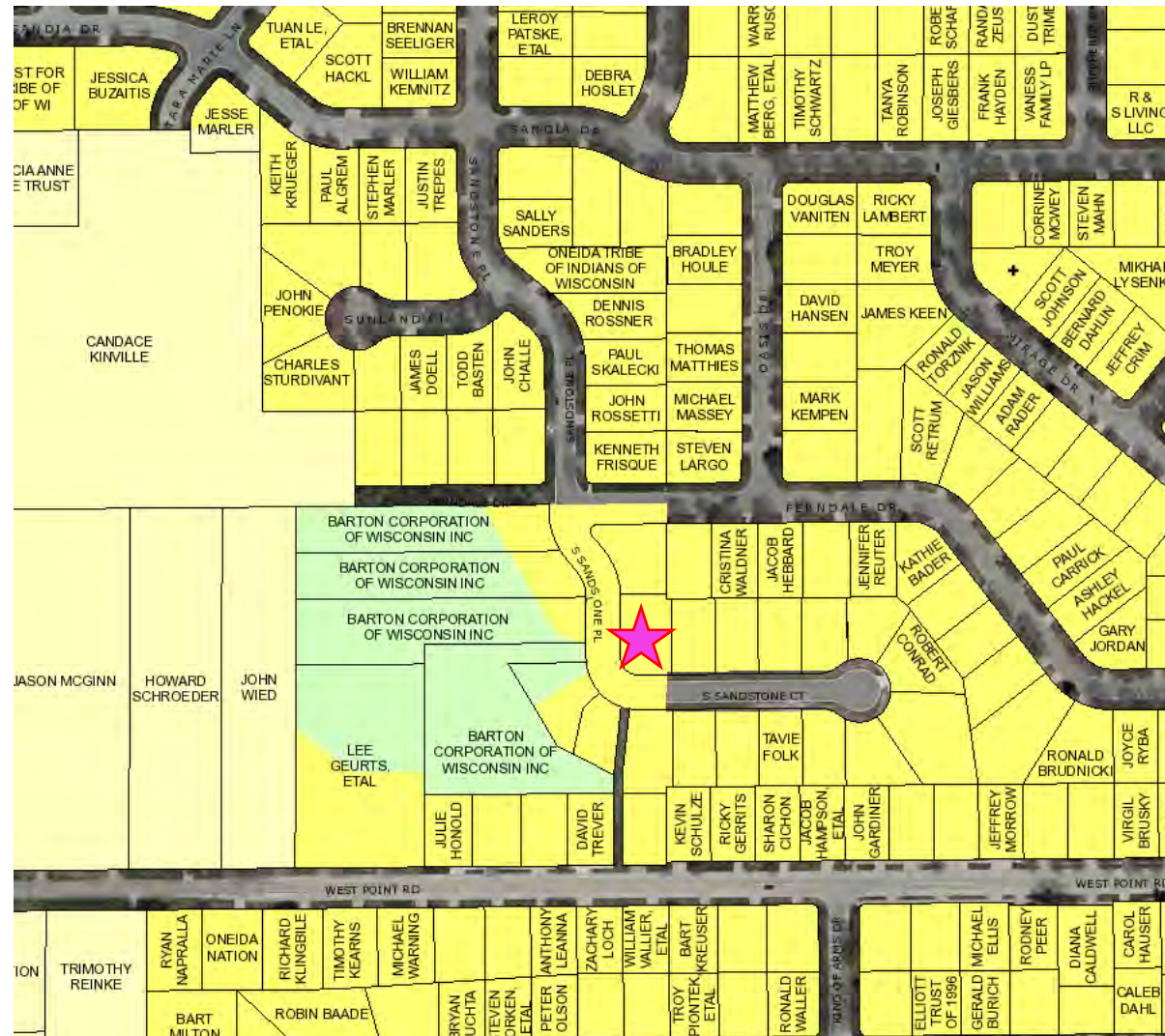
Future Landuse – Parcel# 6H-4425, 3105 Sandstone Ct, 1413 Sandstone Pl



Future Landuse Legend

- Business Park
- Commercial
- General Industry
- High Intensity Retail, Office or Housing
- Institution
- School
- Other Public or Semi Public
- Water
- Low Density Residential
- Low / Medium Density Housing
- Medium / High Density Housing
- Light Industry
- Medium Intensity Retail, Office or Housing
- Traditional Neighborhood Development
- Unknown
- Undevelop
- Parks
- Downtown
- Private Open Space
- Wetlands

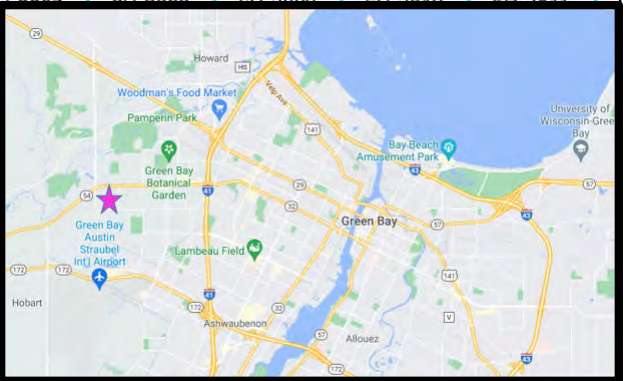
Current Zoning – Parcel# 6H-4425, 3105 Sandstone Ct, 1413 Sandstone Pl



Zoning Legend



- RR - Rural Residential
- R1 - Low Density Residential-New Lots
- R2 - Medium Density Residential
- R3 - Varied Density Residential
- OR - Office Residential
- NC - Neighborhood Commercial
- C1 - Commercial One
- C2 - Commercial Two
- C3 - Commercial Three
- D1 - Downtown One
- D2 - Downtown Two
- GI - General Industry
- S-RLI - Special District Light Industry
- LI - Light Industry
- BP - Business Park
- PI - Public Property / Institutional
- CON - Conservancy



Green Bay, WI, 54313

Parcel Numbers:
6H-4425



ZP 21-20, 3105 Sandstone Court, 1413 Sandstone Place CUP

Conditional Use Permit to allow the construction of a Duplex on the corner lot, currently undeveloped/vacant.





Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.5

(ZP 21-21) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a school addition for NEW Lutheran High School located at 1311 S. Robinson Avenue, submitted by Chris Nelson, N.E.W. Lutheran High School, property owner (Ald. V. Corpus-Dax, District 2).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 21-21 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
1311 South Robinson Avenue
(ZP 21-21)**

The Green Bay Plan Commission will hold a public hearing on **Monday, August 9, 2021**, at 6:00 p.m. If you wish to participate in a public hearing, you may access the meeting by the internet or telephone using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSiZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

[Dial by your location](#)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Meeting ID: 841 3767 5822

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSiZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

(ZP 21-21) Consideration with possible action on the request to authorize a Conditional Use Permit (CUP) for school addition for N.E.W. Lutheran High School located at 1311 South Robinson Avenue, submitted by Chris Nelson, N.E.W. Lutheran High School, property owner (Ald. V. Corpus-Dax, District 2)

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Department of Community and Economic Development

Attn: Stephanie Hummel

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Stephanie Hummel at (920) 448-3424 or

Stephanie.Hummel@greenbaywi.gov.

Publication Dates: July 26, 2021 and August 2, 2021



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # E.6

(ZP 21-21) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for a school addition for NEW Lutheran High School located at 1311 S. Robinson Avenue, submitted by Chris Nelson, N.E.W. Lutheran High School, property owner (Ald. V. Corpus-Dax, District 2).

BACKGROUND

Primary Address: 1311 S. Robinson Avenue

Aldersperson / District: Ald. Veronica Corpus-Dax / District 2

Reason for Request: To permit expansion of an existing school building

Surrounding Zoning and Land Uses:

SUBJECT: Low-Density Residential (RI) - School

NORTH: Low-Density Residential (RI) - Single-Family Residential

SOUTH: Conservancy (CON) - Conservancy

EAST: Low-Density Residential (RI) - Single-Family Residential

WEST: Public Institutional (PI) - Wilder School and Park

Comprehensive Plan: The 2022 Smart Growth Plan designates this area as School and Other Public or Semi-Public uses. The proposed use of the subject property is compatible with and is not contradictory to the applicable recommended policy and the future land use map.

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, use of the subject property is compatible with and is not contradictory to the applicable recommended policy and the future land use map.

Report: The subject property is located on the City's east side along S. Robinson Avenue. It is zoned low-density residential (RI). Any existing schools prior to a zoning code update in 2006, are allowed in the RI zoning district, but require a Conditional Use Permit (CUP) for any expansions. This CUP request is for an 8,936 sq. ft. addition to the eastern part of the building. The proposed addition is complimentary to the existing brick building. Material samples and exhibits are attached. The original site plan from the early 1990's (attached) shows the expansion area, listed at 9,700 sq. ft.

In the review of the Conditional Use Permit (CUP), the Zoning Ordinance Section 12-205(e) establishes seven standards for the Plan Commission to consider when reviewing a CUP:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.
6. The conditional use shall have adequate parking facilities as specified in subchapter 13-1700.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable city ordinances.

When considering the request in relation to the standards, planning staff believes these standards have been met. Ald. Corpus-Dax and adjacent property owners within 200 ft. have been notified of the request. As of the drafting of this report, staff has received no objections or comments.

RECOMMENDATION

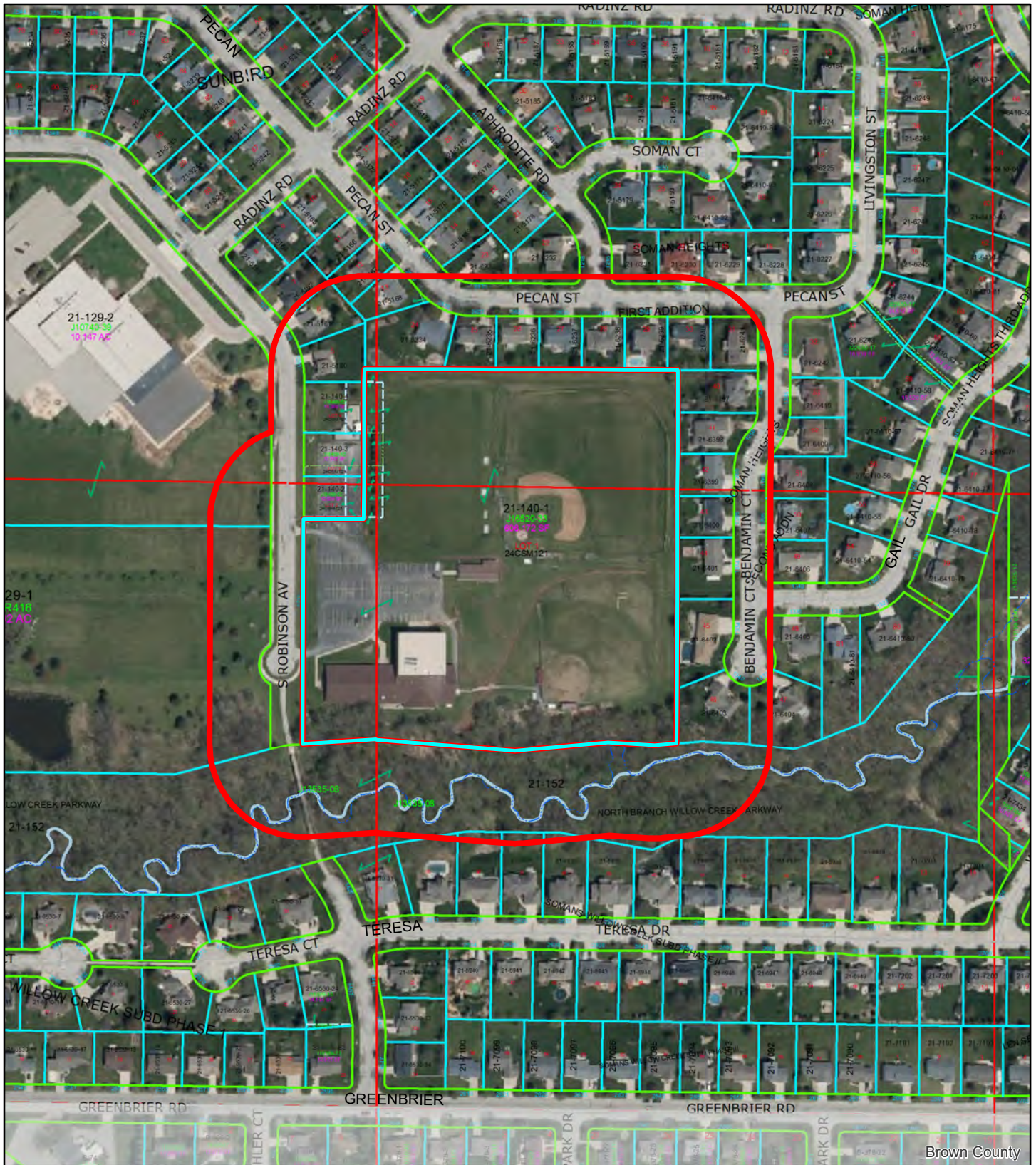
Approval of the request, subject to the following conditions:

1. Any additional expansions will require an amendment to this Conditional Use Permit.
2. Compliance with all the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.

FISCAL IMPACT

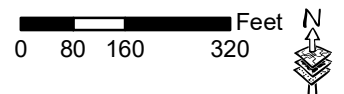
ATTACHMENTS

1. ZP 21-21 Map
2. ZP 21-21 Building Photo
3. ZP 21-21 Site Plans
4. ZP 21-21 Elevations
5. ZP 21-21 Proposed exterior finishes
6. ZP 21-21, exterior with stucco finish



(ZP 21-21) Conditional Use Permit 1311 S Robinson Avenue

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 28 Jul 2021 X:\Planning\Basemaps\template_8.5x11.mxd



- 1311 S Robinson Ave
- 200-ft. Notification Area

N.E.W. LUTHERAN
HIGH SCHOOL





A NEW FACILITY FOR:

**N.E.W. LUTHERAN HIGH SCHOOL
1311 S ROBINSON AVE, GREEN BAY, WI
ARCHITECTURAL SITE PLAN**



DESIGNED	DRAWN
	AAT
PROJECT NO.	
C0604-62 100122	
DATE	
JUNE 22, 2021	
SHEET NO	

A020

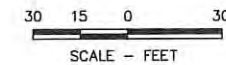
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McMAHON
ENGINEERS & ARCHITECTS
McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
Tel: (920) 751-4200 Fax: (920) 751-4284
www.mcmgrp.com

HORIZONTAL DATUM:
COORDINATES ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE
SYSTEM AS PUBLISHED FOR BROWN COUNTY NAD 83(91)

VERTICAL BENCHMARK CONTROL		
POINT #	ELEVATION	DESCRIPTION
4	679.31	HYDRANT NORTHWEST BOLT
5	681.85	NORTH SIDE CONCRETE BASE LIGHT POLE

SITE STATISTICS
ZONING DISTRICT: R-1 RESIDENTIAL
PARCEL ID: 21-140-1
SITE AREA: 606,172 S.F.
ROOF AREA OF EXISTING BUILDINGS: 34,284 S.F. (5.6% COVERAGE)
AREA OF BUILDING AFTER ADDITION: 43,247 S.F. (7.1% COVERAGE)
EXISTING PARKING LOT AREA: 73,724 S.F.
PROPOSED PARKING LOT AREA: 73,724 S.F. (UNCHANGED)
EXISTING SITE SIDEWALK AREA: 5,480 S.F.
PROPOSED SITE SIDEWALK AREA: 4,880 S.F. (REDUCED)
PROPOSED SITE COVER: $(43,247 + 73,234 + 4,880) \div 606,172 = 20.0\%$
100 YR HWL: ELEV 672.6, F.I.R.M. PANEL 55009C0277F



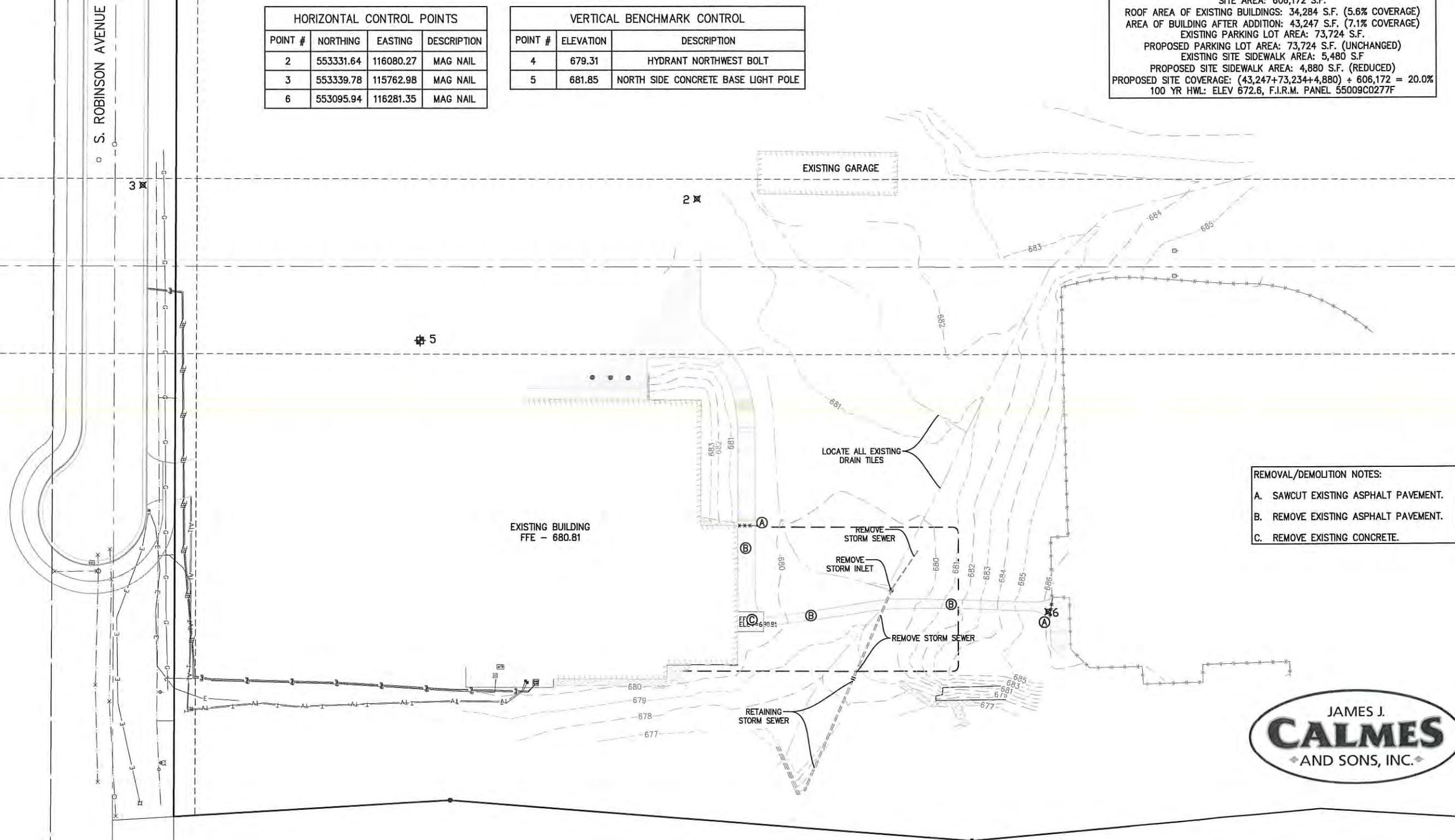
McMAHON
ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEEENAH, WI 54956
Mailing: P.O. BOX 1025 NEEENAH, WI 54957-1025
TEL 920.751.4200 FAX 920.751.4284 MCMGRP.COM
PH 920.751.4200

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A NEW FACILITY FOR: N.E.W. LUTHERAN HIGH SCHOOL
1311 S. ROBINSON AVE., GREEN BAY, WI
EXISTING SITE PLAN, DEMOLITION & SURVEY CONTROL PLAN

DESIGNED RJW	DRAWN MJA
PROJECT NO. C0604 06-21-00123	
DATE JUNE, 2021	
SHEET NO. C002	

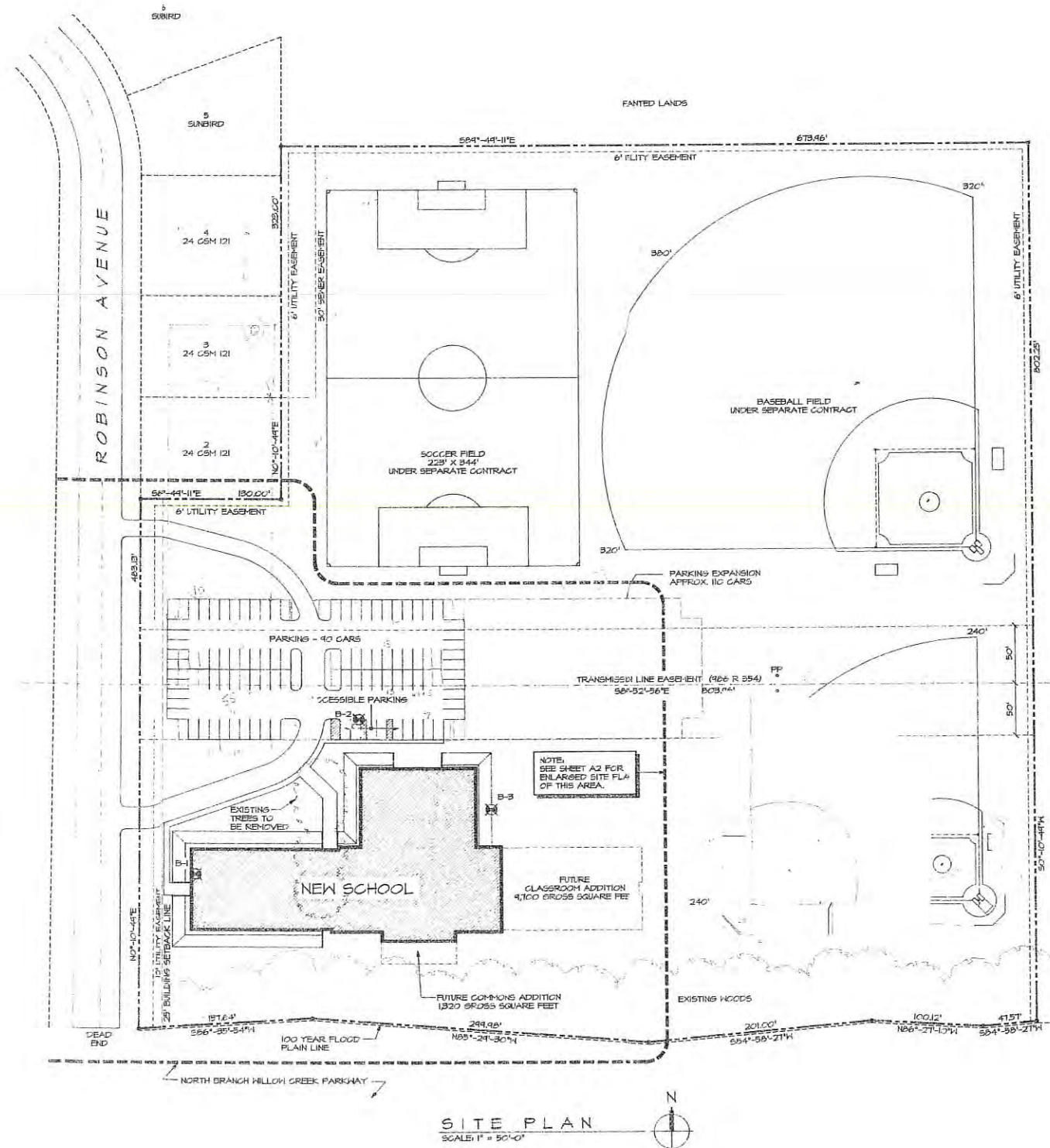


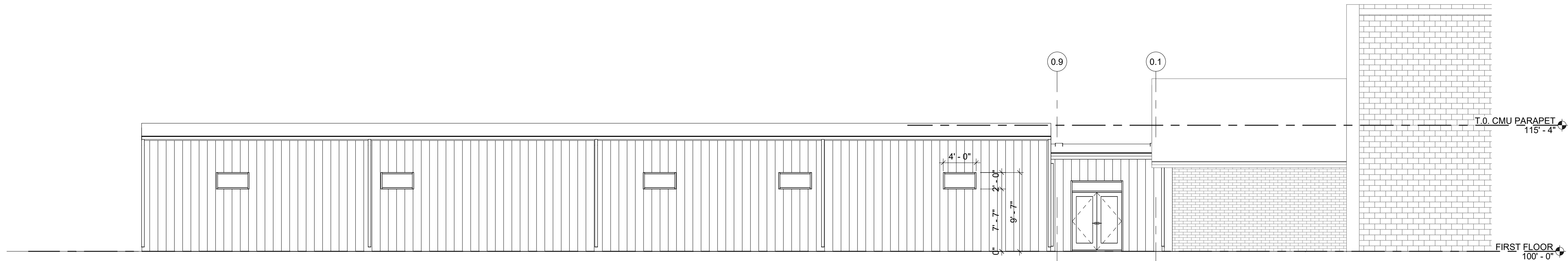
NEW HIGH SCHOOL FOR - N. E. W. LUTHERAN HIGH SCHOOL

INDEX TO DRAWINGS			
A1	SITE PLAN, INDEX, SYMBOLS, MATERIALS	P1	PLUMBING - WASTE AND VENT FLOOR PLAN
A2	ENLARGED SITE PLAN WITH MECHANICAL AND ELECTRICAL	P2	PLUMBING - SUPPLY FLOOR PLAN
A3	FLOOR PLAN	P3	PLUMBING - WASTE AND VENT ISOMETRIC
A4	ROOF PLAN, ENLARGED FLOOR PLAN, PARTITION TYPES	P4	PLUMBING - SUPPLY ISOMETRIC
A5	ROOM AND DOOR SCHEDULES, DETAILS		
A6	ELEVATIONS, DETAILS		
A7	SECTION AND DETAILS	H1	HVAC - FLOOR PLAN
A8	SECTIONS AND DETAILS	H2	HVAC - ENLARGED FLOOR PLANS, ISOMETRICS, DETAILS
A9	SECTION AND DETAILS	H3	HVAC - SECTIONS
A10	SECTION AND DETAILS	H4	HVAC - SCHEDULES AND DETAILS
A11	TOILET ROOM ELEVATIONS AND DETAILS		
A12	CASEWORK AND DETAILS		
A13	DOOR DETAILS	E1	ELECTRICAL - LIGHTING FLOOR PLAN
		E2	ELECTRICAL - POWER AND SYSTEMS FLOOR PLAN
S1	STRUCTURAL - FOUNDATION PLAN	E3	ELECTRICAL - DETAILS AND SCHEMATICS
S2	STRUCTURAL - ROOF FRAMING PLAN	E4	ELECTRICAL - SCHEDULES AND DETAILS
S3	STRUCTURAL - DETAILS		
S4	STRUCTURAL - DETAILS AND NOTES		

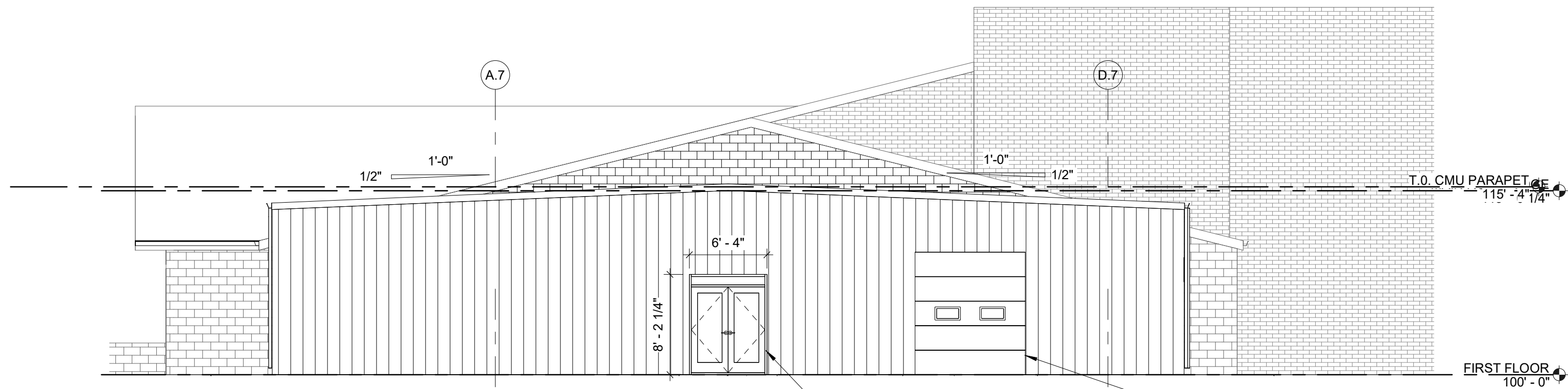
SYMBOLS	
	DIMENSION LINE TO HALL OR OTHER SUBJECT
	DESIGNATES SECTION
	DESIGNATES SHEET SECTION OCCURS
	DESIGNATES DETAIL
	DESIGNATES SHEET DETAIL OCCURS
	BARRIER FREE FACILITY
	INDICATES ELEVATION
	INDICATES SOIL BORING
	INDICATES EXISTING CONTOUR TO REMAIN
	INDICATES EXISTING CONTOUR TO BE REGRADED
	INDICATES EXISTING GRADE
	INDICATES PROPOSED GRADE

MATERIALS	
	CONCRETE
	CMU (CONCRETE MASONRY UNIT)
	BRICK
	STEEL
	STUD PARTITION
	WOOD (ROUGH FINISH)
	PLYWOOD
	CELLULAR INSULATION
	RIGID INSULATION
	BLANKET INSULATION
	GYPSUM BOARD OR PLASTER BASE
	ACOUSTIC UNIT

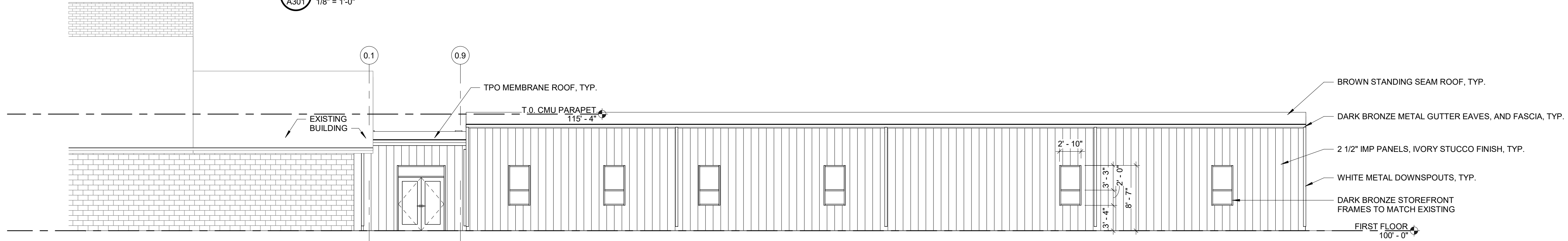




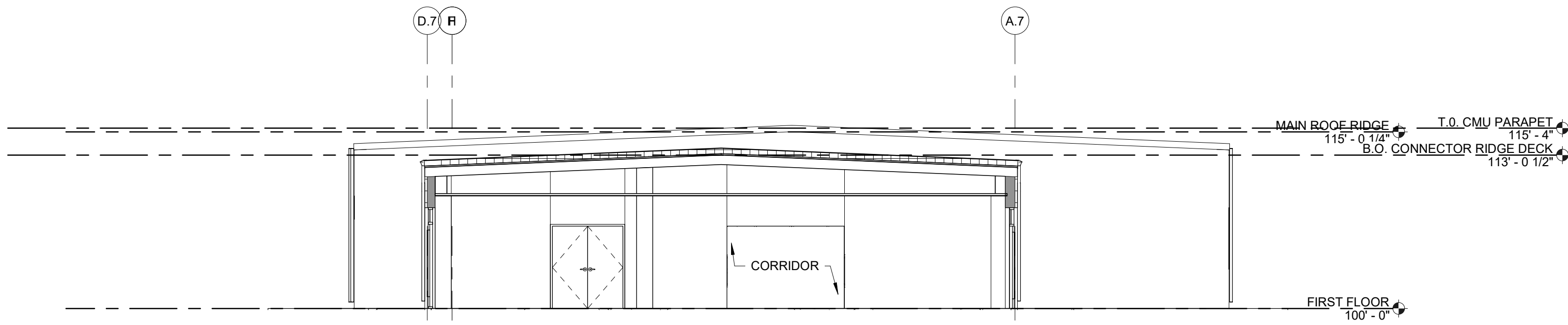
1 NORTH EXTERIOR ELEVATION
A301 1/8" = 1'-0"



2 EAST EXTERIOR ELEVATION
A301 1/8" = 1'-0"



3 SOUTH EXTERIOR ELEVATION
A301 1/8" = 1'-0"



4 WEST EXTERIOR ELEVATION
A301 1/8" = 1'-0"

SUBMITTED FOR CITY REVIEW

McMAHON
ENGINEERS ARCHITECTS
McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Main: (920) 751-4200 Fax: (920) 751-4284
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NO.	DATE	REVISION

A NEW FACILITY FOR:
N.E.W. LUTHERAN HIGH SCHOOL
1311 S ROBINSON AVE, GREEN BAY, WI
EXTERIOR ELEVATIONS

DESIGNED	DRAWN
MJM	AAT
PROJECT NO. C0604-62/100122	
DATE JUNE 22, 2021	
SHEET NO. A301	







Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.7

(ZP 21-22) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) District at 315 S. Jefferson Street, submitted by Cheryl Detrick, Newcap, Inc., George A. Thorne/Gordon Mullen, property owners (Ald. R. Scannell, District 7).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 21-22 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
315 South Jefferson Street
(ZP 21-22)**

The Green Bay Plan Commission will hold a public hearing on **Monday, August 9, 2021**, at 6:00 p.m. If you wish to participate in a public hearing, you may access the meeting by the internet or telephone using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+1 312 626 6799,,84137675822# US (Chicago)

+1 646 876 9923,,84137675822# US (New York)

[Dial by your location](#)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Find your local number: <https://us02web.zoom.us/j/kc8xd2MWP>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) District at 315 South Jefferson Street, submitted by Cheryl Detrick, Newcap, Inc., George A. Thorne/Gordon Mullen, property owners (Ald. R. Scannell, District 7).

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Department of Community and Economic Development

Attn: Paul Neumeyer

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Paul Neumeyer at (920) 448-3405 or paul.neumeyer@greenbaywi.gov.

Publication Dates: July 26, 2021 and August 2, 2021



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.8

(ZP 21-22) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) District at 315 S. Jefferson Street, submitted by Cheryl Detrick, Newcap, Inc., George A. Thorne/Gordon Mullen, property owners (Ald. R. Scannell, District 7).

BACKGROUND

Reason for Request: To permit a family shelter facility.

Surrounding Zoning and Land Uses:

SUBJECT	Office/Residential (OR), vacant dwelling/former commercial building.	
NORTH	Office/Residential (OR)	Office use
SOUTH	Office/Residential (OR)	Surface parking
EAST	Office/Residential (OR)	Office use
WEST	Public/Institutional (PI)	Green Bay Police Department

Comprehensive Plan: The 2022 Smart Growth Plan designates the subject area as Medium Intensity Retail, Office and Housing (MIROH).

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, the proposed conditional use permit is consistent with the comprehensive plan. The proposed use of the subject property is compatible with and is not contradictory to the applicable recommended policy and the future land use map.

Report: The subject property is located on the southwest North Webster Avenue and Cherry Street. The site is comprised of two lots containing a total 0.23 acres or 9,930 square feet. The approval of the request would allow for the repurposing of the former dwelling/commercial building as a family shelter facility. A narrative and operational plan from the applicant is attached within this agenda. A preliminary building analysis has also been provided regarding potential updates to the structure for occupancy.

In the review of the Conditional Use Permit (CUP), the Zoning Ordinance Section 12-205(e) establishes seven standards for the Plan Commission to consider when reviewing a CUP:

- 1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*
- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

3. *The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.*
4. *Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.*
6. *The conditional use shall have adequate parking facilities as specified in subchapter [13-1700](#).*
7. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable city ordinances.*

The use of communal living arrangements for four or more people is permitted with a CUP and must meet minimum criteria within the Code. The Green Bay Zoning Code requires in 44-1581. Congregate living uses, development standards for Dormitory in all districts:

- (1) On-site services shall be for residents of the facility only.
- (2) The maximum number of persons occupying the building shall not exceed four per bedroom with 50 square feet of sleeping area per resident, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption. Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (3) One bath and restroom facility for every eight individuals residing in the dormitory. The bath and restroom facility shall be located so that no individual is required to pass through a sleeping room other than their own in order to access the bath and restroom facility.
- (4) One kitchen and dining area for every ten individuals residing in the dormitory.
- (5) One laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and a washbasin for every ten individuals residing in the dormitory.
- (6) One common use area/lounge of at least 600 square feet in size for relaxation and recreation of the occupants for every ten individuals residing in the dormitory.
- (7) If the dormitory use ceases for a period of 12 months or more, the conditional use approval will no longer be in effect. If construction and occupancy has not been completed and established within 12 months of the date of approval, the conditional use status of the property shall no longer be in effect. In the event of a natural disaster or emergency situation, as determined by the City of Green Bay, these regulations may be suspended for a term of not more than 12 months.

The ultimate occupancy of the shelter is an ongoing discussion with the applicant and the City therefore, a specific number of residents is not known at this time. The wish of the applicant is to house 10 to 12 families however, additional research by the applicant's architect will have to be considered. The applicant has consulted with an architect regarding building code compliance and documentation has been provided within this agenda packet. Staff will continue to work with the applicant on Zoning Code and Building Code compliance as part of future submittals by the applicant.

The Green Bay Municipal Code 44-1726, Figure 2, requires shelter facilities 1 space per 5 residents based on capacity plus 2 spaces per 3 employees on the largest shift. Parking can be found in an existing garage to the rear of the property as well as the driveway leading to the garage via South Jefferson Street. This proposed use is in compliance with the above development standards; however, staff is recommending conditions of approval listed below. Staff feels the proposed use is an acceptable and consistent with existing land uses for the immediate neighborhood and meets the standards for CUP approval.

Ald. R. Scannell, the Downtown Neighborhood Association and adjacent property owners within 200 ft. of the subject area have been noticed of the request. A neighborhood meeting was conducted by the applicant on July 27. There have been no inquiries regarding this request as of the drafting of this report.

RECOMMENDATION

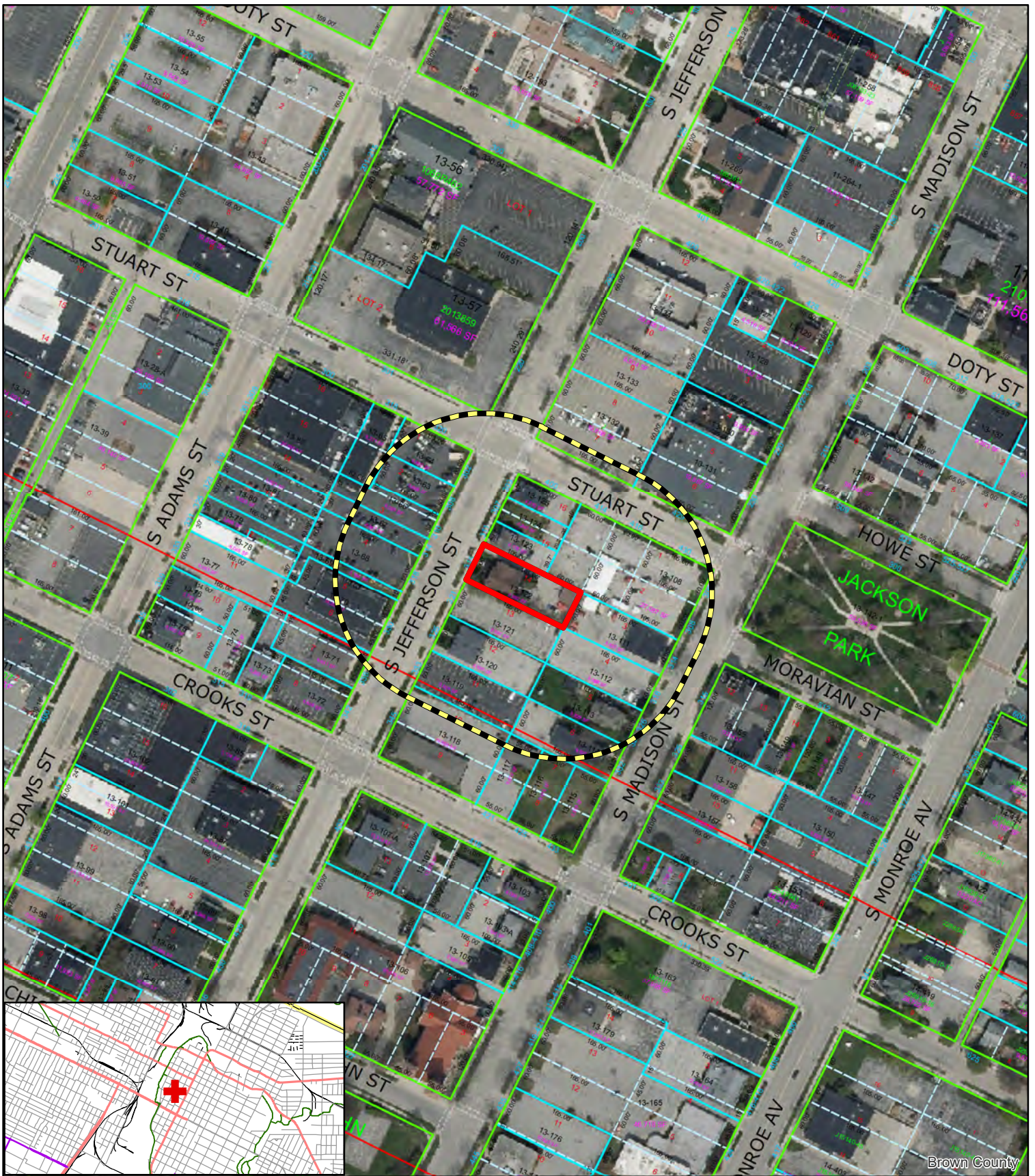
Approval of request, subject to:

1. A maximum capacity allowable under the International Building Code (IBC).
2. If the shelter facility use at 315 South Jefferson Street is discontinued, the operation is dissolved, or if Newcap no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
3. At the discretion of the Common Council, Plan Commission, or the Planning Director a review may be required by the Plan Commission and Common Council to ensure compliance with this conditional use permit and identify any areas of concerns with the rooming & boarding house but not limited to:
 - a. Police calls and other documented safety concerns.
 - b. Inadequate facilities.
4. Conformance with the submitted operating plan submitted by the applicant.
5. Compliance with all other regulations of the Green Bay Municipal Code.
6. A site plan be reviewed and approved by the Community Development Review Team (CDRT).

FISCAL IMPACT

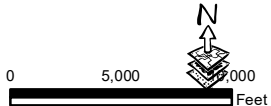
ATTACHMENTS

1. ZP 21-22 letter
2. 07.27.2021 Newcap Short Term Housing Policies and Procedures
3. 315 S Jefferson Feasibility Narrative
4. LOS GBPD
5. Newcap letter of support WAHRS signed
6. Signed Letter from Newcap
7. Signed Letter from Newcap



Zoning Petition (ZP 21-22)
 Proposed Conditional Use Permit (CUP)
 315 South Jefferson Street

- Subject Area
- 200' Property Owner Notice



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
 Map prepared by PN

Newcap

Short Term Housing

Policy and Procedure Manual

07/27/2021

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01.01 PHILOSOPHY: MISSION AND VISION STATEMENT

Mission Statement: Newcap's mission for over 50 years has been to move people from poverty to opportunities and economic security, while enhancing community development.

Vision Statement: Our vision is a world of hope, inclusion, and social justice where poverty has been overcome, people are met where they dream, and all live with dignity and security.

Procedure:

- A. Newcap Mission and Vision Statements shall be included and discussed in new employee and volunteer onboarding sessions
- B. The Director of Housing and Supervisor shall discuss these statements with staff and volunteers when appropriate, especially if a staff member's or volunteer's behavior is not in accord with the statement

As a recipient of Federal financial assistance, Newcap does not exclude, deny benefits to, or otherwise discriminate against any person on the ground of race, color, national origin, age, sex, religion or disability in admission to, participation in, or receipt of the services and benefits of any of its programs and activities or in employment therein, whether carried out by Newcap directly or through a contractor or any other entity with whom Newcap arranges to carry out its programs and activities. This statement is in accordance with the provisions of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Regulations of the U.S. Department of Health and Human Services issued pursuant to these statutes at Title 45 Code of Federal Regulations Parts 80, 84, and 91.

02.01 ENVIRONMENT: FIRST AID/CPR

Policy: First aid supplies must always be available.

Procedure:

- A. First Aid Kits
 - 1. One kit will be kept on each floor of Newcap short term housing facilities.
 - 2. Kits will be monitored and replenished as needed by the support staff on site.
- B. Defibrillators
 - 1. Newcap will provide defibrillators on site
 - 2. Staff will receive training from Newcap Community Health Services on how to use a defibrillator
- C. Narcan
 - 1. Narcan will be available on site and staff will receive training on an as needed basis for administering Narcan.

02.02 ENVIRONMENT: BEHAVIOR MANAGEMENT

Policy: Staff will be trained to deal with disruptive, combative residents, and shall maintain established procedures for dealing with such situations.

Procedure:

- A. De-escalation Training
 - 1. De-escalation training will be provided to all staff during employee orientation. Sessions will also be offered to the staff on an as-needed basis.

- B. Combative Residents: Staff who encounter a combative resident should:
1. Divert or contain resident, using appropriate techniques taught in behavior management training
 2. Call "911" if necessary
 3. Notify the Supervisor and fill out an incident report

02.03 ENVIRONMENT: EMERGENCY AND DISASTER PROCEDURES

Policy: To maintain an Employee Safety Manual (Addendum 1) on site and ensure all staff have access to the plan.

Procedure:

- A. Reference the Employee Safety Manual for any immediate safety concerns.
- B. Chain of command needs to be notified in the event of an emergency
- C. Incident reports need to be completed immediately following an emergency or disaster.

02.04 ENVIRONMENT: WEAPONS

Policy: Firearms, ammunition, explosives, or any weapon (as defined by federal, state, or municipal laws or ordinances) are strictly prohibited from being on Newcap property.

Procedure:

- A. All bags carried into the building by staff, residents, visitors, and volunteers are subject to search
- B. Any comments made regarding weapons will be taken seriously and investigated appropriately
 1. Investigation may include search of bags, rooms, vehicles, or personal property
- C. Any staff found to be in possession of a weapon will be immediately suspended pending disciplinary action up to and including termination
- D. Any resident, visitor, or volunteer in possession of a weapon will be immediately escorted out of the building, and will not be allowed to return
 1. If they refuse to leave, police will be called to escort them from the property
 2. Police will be called for any immediate safety concerns regarding weapons.
- E. Staff will report to the Supervisor and complete an incident report
- F. Newcap short term housing facilities will maintain records of individuals who are barred from the property because of weapon possession

02.05 ENVIRONMENT: INFECTION CONTROL

Policy: Procedures shall be implemented to diminish the danger of infectious disease transmission.

Procedure:

- A. Blood and body fluids of all persons will be treated as potentially dangerous
- B. Staff with any condition of broken skin, will use protective gloves before carrying out duties that might expose their blood or body fluids to other people
- C. If a resident is known to have an infectious or contagious condition, staff will use appropriate protective equipment in carrying out their duties with that resident
- D. All staff will wash their hands thoroughly after they have removed any protective equipment used in handling a situation with the potential for exposure
- E. If exposure of bodily fluids occurs, he/she should take the following steps:
 1. Wash the exposed area with soap and water, using a disinfectant afterwards
- F. If the exposure is by mouth, eyes, or open sores, the following steps should be taken:
 1. Flush the affected area with water
 2. Rinse mouth with peroxide, if available

G. Report any exposure to Supervisor and complete an incident report within 24 hours

02.06 ENVIRONMENT: BIOHAZARD PROCEDURES

Policy: To provide a safe and healthy environment. Staff and residents shall conduct their daily activities in a safe manner in compliance with all safety/health standards.

Procedure:

- A. Regulated wastes of sharps, biohazards or other potentially infectious material (OPIM) are to be disposed of in designated containers that are appropriately labeled
- B. Sharps are discarded immediately (*needles should be bent or broken*) or as soon as possible in labeled containers.
- C. Bins are cleaned and decontaminated as soon as feasible after contamination
- D. Broken glassware which may be contaminated is to be picked up using mechanical means, such as a brush and dustpan, or tongs and disposed of in approved biohazard container
- E. Garments, protective coverings, and cleaning materials which may be contaminated are to be disposed of in approved biohazard disposition containers
- F. Sharps and/or, biohazard containers go to the Newcap Community Health Services clinics for disposal.

02.07 ENVIRONMENT: RESIDENT RESEARCH/CONFIDENTIALITY

Policy: To protect the confidentiality of our residents by evaluating external research and interview requests.

Procedure:

- A. Any requests from external organizations to conduct research with and/or to interview residents will be evaluated by the Director of Housing.
 - 1. No videotape, audiotape, or photographs will be taken of residents without a signed consent from residents and approval by the Director of Housing.
 - 2. Questions to be asked of residents, need to be approved by the Supervisor in advance
- B. All residents are asked to sign a release of information which applies only to:
 - 1. Inter-agency sharing of information in order to provide appropriate social services to residents
 - 2. Internal research and documentation used to secure additional social services and funding

03.01 SUPPORT SOCIAL SERVICES: BUILDING MANAGEMENT

Policy: To maintain the facility in a manner that ensures the physical safety and comfort of residents, staff, visitors, and volunteers.

Procedure:

- A. Newcap is responsible for:
 - 1. Building management and maintaining the property
 - 2. Utilize outside vendors as needed for repairs
 - 3. All required inspections of the building, i.e., fire, safety, plumbing, etc
 - 4. Extermination for pests
- B. Routine cleaning will be done by residents, as they are assigned daily chores
- C. Staff and volunteers will perform and delegate cleaning duties
- D. Any building repairs will be reviewed and approved by the Chief Operating Officer and the Director of Housing.

03.02 SUPPORT SERVICES: RELIGIOUS FREEDOM

Policy: To support the care and counseling provided by pastors, chaplains, and other members of faith communities.

Procedure:

- A. Residents are free to attend church or church related events of their choice
 - 1. Residents are responsible for obtaining their own transportation
- B. Programs will honor participants preferred religious beliefs or absence thereof
- C. Residents will not be required to participate in any religious activities or other forms of religious expression.
- D. Overnight requests for religious or tribal purposes will be reviewed by the Supervisor.

03.03 SUPPORT SOCIAL SERVICES: TRANSPORTATION

Policy: We shall establish procedures to govern activities involving transportation of residents.

Procedure:

- A. Residents are responsible for arranging their own transportation
- B. Newcap staff will assist residents in identifying transportation options and resources when requested.
- C. Newcap staff will provide transportation when staffing levels allow.
 - 1. Transportation provided by staff will be only by approved, licensed, and insured drivers through Newcap.
 - 2. Transportation of residents will only be done in Newcap fleet vehicles.
- D. Staff's personal vehicles to transport residents
 - 1. Transportation of residents in staff's personal vehicles should be limited. In cases in which it is unavoidable, the person driving should be an approved driver (see paragraph E, below)
- D. Resident vehicles
 - 1. Residents are encouraged to have a valid driver's license and car insurance to use their own vehicle
 - 2. Newcap staff will assist with locating affordable care insurance and resources to that assist with obtaining a valid driver's license.
- E. Transportation of Residents for Medical Needs
 - 1. Residents will only be transported for medical purposes if 911 is not required and when approved by the Supervisor.
- F. Newcap staff will comply with and follow all Newcap vehicle related policies in the handbook.

03.04 SUPPORT SOCIAL SERVICES: VOLUNTEERS

Policy: To recruit and utilize volunteers wherever appropriate, and maintain procedures for recruitment, training, placement, and supervision of such volunteers.

NOTE: *This policy is intended to cover volunteers who are a regular and ongoing part of Institution operations, i.e. persons who function in a role which might be filled by an employee if the volunteer were not available.*

Procedure:

- A. Recruitment is done by all staff in cooperation with the Director of Housing and Supervisor.
- B. Volunteers will receive:
 - 1. A tour of the facility
 - 2. A briefing, and discussion, of what to expect of their duties and interactions with residents
- C. Each volunteer is required to complete the following, which will be kept in the office
 - 1. Volunteer Application form
 - 2. Criminal History Background Check

3. Non-disclosure/Confidentiality paperwork
- D. Placement and Supervision
 1. The Supervisor will assign duties to volunteers, based on the interests and experience, as well as the needs of the facility
 2. Volunteers should be under the supervision of staff, or with another volunteer at all times
 3. Volunteers should wear volunteer badge
- E. If a volunteer's work is unsatisfactory, the Supervisor will discuss the problem with the volunteer
 1. The decision to terminate the volunteer's placement will be made by the Chief Operating Officer, Director of Housing, or Supervisor
 2. If safety is in jeopardy, staff may ask the volunteer to leave the premises pending the final decision
- F. To record statistics: volunteers must Sign-In/Out on "Volunteer" sheet, and check appropriate duties
- G. Staff will secure permission of all residents to work with volunteers. No resident will be required to work with a volunteer or volunteer group
- H. Volunteers are prohibited from being alone with minor children without permission from Newcap

03.05 SUPPORT SOCIAL SERVICES: VISITOR PROCEDURES

Policy: To maintain established procedures to ensure the protection of each resident's right to confidentiality as well as access to visitation by friends and family.

Procedure:

- A. Visitation
 1. Only pre-approved visitors will be allowed into the shelter
 2. Newcap staff reserve the right to revoke visitor privileges with permission from the Director of Housing or Supervisor.
 - i. Visitor privileges will only be revoked for extenuating circumstances or for safety reasons.
 3. All visitors will be required to check-in/out on appropriate form and wear a "Visitor" badge
 4. No visitation will take place between the hours of 7:00PM and 8:00A.M. or during dinner time
 5. Visitors are only allowed in the common areas of the house (Living room, Gathering Room, Kitchen, and backyard areas) during authorized hours when resident, and staff, is present
 6. Visitors can stay for a maximum time limit of 1 hour unless otherwise approved by staff on site for extenuating circumstance.
 7. All packages brought onto property are subject to search
 8. Small children will be supervised by the resident or their adult visitor at all times
 9. Visitors must comply with all house rules, appear in acceptable dress and conduct themselves in an acceptable manner or will be asked to leave the premises
 10. Visitors are not to eat house food/beverage

03.06 SUPPORT SOCIAL SERVICES: BUILDING KEYS

Policy: Maintain established procedures for distribution of building keys in order to protect the security of the building and the residents, staff, visitors, and volunteers.

Procedure:

- A. The Director of Housing and Supervisor are responsible for maintaining a master set of keys, accurately labeled and organized, from which copies can be made as needed
- B. Staff will be responsible for a set of keys while on duty
 1. Keys must be kept in staff possession, not loaned or duplicated by unauthorized individuals

03.07 SUPPORT SOCIAL SERVICES: ACCESSIBILITY

Policy: To take all appropriate and reasonable steps to ensure the accessibility of the facility and its programs to individuals with disabilities.

Procedure:

A. Newcap shall be compliant with the provisions of the Americans with Disabilities Act

B. Newcap shall be compliant with Fair Housing

No person shall be denied services due to disability or illness such as HIV and/or AIDS

03.08 PROGRAM: SERVICE/SUPPORT ANIMALS

Policy: Newcap will provide accommodations when able and required for residents with support animals in compliance with the Americans with Disabilities Act and Fair Housing

Procedure:

A. Resident requests for reasonable accommodations for service/support animals will be reviewed by the Supervisor and/or Director of Housing

1. Requests are encouraged to be in writing but are not required to be written.

2. Newcap will keep copies of all reasonable accommodation requests in resident files

B. The Supervisor and/or Director of Housing will determine if the service/support animal is a service animal or another type of assistance animal (Addendum 4)

C. Newcap staff will only ask the questions allowed and referenced in the Office of Fair Housing and Equal Opportunity Note #FHEO-2020-01 (Addendum 5)

D. Staff shall request documentation as allowed per the Office of Fair Housing and Equal Opportunity Note #FHEO-2020-01 (Addendum 5)

E. Reasonable accommodations will be provided on an as needed basis and when required

F. Approved animals will need to present proof of vaccinations

04.01 FISCAL PRACTICES: DONATIONS

Policy: Newcap may receive two types of donations: Monetary Gifts and In-Kind Gifts of Property and Services.

A. Policy applicable to both Monetary and In-Kind Gifts:

1. Quid Pro Quo: Newcap is prohibited from and shall not provide any donor with goods or services in exchange for monetary or in-kind donations

2. Tracking Donors: Newcap shall maintain a listing of all donors, their addresses, amounts donated and other relevant information

3. Required Communications with Donors: All donors shall receive an “In-Kind” donation receipt and a “Thank You” card for In-Kind gifts

a. In-Kind Form: Newcap shall acknowledge receipt and date of receipt of the In-Kind Gift, describe the property and/or services donated,

B. Policy Applicable to In-Kind Gifts of Property and Services

1. Accepting In-Kind Gifts: Newcap shall not accept in-kind donations for which it has no use and cannot easily distribute

2. Value of In-Kind Gifts: Except for cars, boats and planes for resale, Newcap shall require the Donor to list the market value of the in-kind contribution. Newcap shall not set a value on the gift donated. For

accounting purposes, Newcap may use the donor's stated value or assign a different value as Newcap may subsequently determine

3. In-Kind Professional Services: Donated professional services will only be accepted from a donor who is in business of providing such services professionally.

05.01 PERSONNEL: SUPERVISION PROCEDURE

Policy: Staff shall remain in contact with each other and the supervisor.

Procedure:

- A. Staff shall communicate on a regular basis through shift notes, case notes, emails, and in person.
- B. Staff meetings will be held on an as needed basis.
- C. Supervisor and Supervisor will facilitate regularly occurring one on one supervision meetings.

05.02 PERSONNEL: ORIENTATION PROCEDURE

Policy: To conduct regular onboarding and training opportunities, covering all pertinent topics. In addition, every staff

member shall receive appropriate training prior to actual performance of job duties.

Procedure:

A. Schedule

1. Onboarding will be conducted for each new employee hired within one week of the official start date for the new employee. Onboarding may be scheduled for a later date depending on availability of the Chief Operating Officer or other leadership personnel that would be conducting it.
2. New staff shall receive appropriate training by the short term housing supervisor and on site staff prior to actual performance of job duties
3. Emergency Procedures will be reviewed with each new staff member within 7 days of employment

B. Curriculum

1. Onboarding and training sessions will include but not be limited to the following topics:
 - a. Emergency Procedures
 - b. Behavior Management/Crisis Intervention Techniques
 - c. Confidentiality Issues
 - d. Review of Personnel Policies and this Policy Manual
 - e. Review of Job Description and Employee Handbook
 - f. Review of Newcap programs and resources
 - g. Review of Community Action

05.03 PERSONNEL: EMPLOYEE/RESIDENT INTERACTION

Policy: Newcap shall comply with avoidable contact or association between employees and active residents, or anyone who has been a resident within the past two years, unless specifically authorized as part of their job description. This prohibition applies to such contact between employees and family members or significant others of such residents as well. This policy explicitly applies to romantic/sexual interaction.

Procedure:

1. Employees shall neither borrow from, loan to, or hold money, merchandise or personal belongings for residents except if the employees' job duties require collection of resident funds, in which case established written procedure for such collection should be followed at all times
2. Employees may not purchase or sell any item to a resident, or enter into any contract with a resident
3. Employees may not function as a resident's payee for social security funds unless an approved payee program is operated by the Institution
4. Any employee who has family members or significant others who are referred to Newcap, or who has a close association with a potential resident, must notify the Supervisor immediately upon knowledge of the referral
5. Employees shall not give their own, fellow employees' or volunteers' telephone numbers or addresses to residents, residents' families, or significant others
6. Employees are prohibited from receiving or giving anything to a resident's family and/or significant other, except those items authorized in the usual course of business
7. Violation of these procedures will result in disciplinary action

05.04 PERSONNEL: DRUG-FREE WORKPLACE

Policy: Newcap shall provide an alcohol, drug and smoke-free workplace.

Procedure:

- A. Newcap is a Zero-Tolerance facility for alcohol and illegal drugs
- B. All tobacco use is to be in approved designated area
- C. Newcap staff are not allowed to smoke while working or on Newcap property
- D. All Newcap Employees must be drug and alcohol free

05.05 PERSONAL: CODE OF ETHICS

Policy: Newcap and its Board of Directors abides by the Community Action Code of Ethics.

Procedure:

- A. Regularly review and ensure compliance with the Code of Ethics as follows:

- “We, as Community Action professionals, dedicate ourselves to eliminating poverty in the midst of plenty in this nation by opening to everyone the opportunity for education and training; the opportunity for work; and the opportunity to live in decency and dignity; and with respect for cultural diversity, commit ourselves to:
- Recognize that the chief function of the Community Action movement at all times is to serve the best interests of the poor, thereby serving the best interests of all people.
 - Accept as a personal duty the responsibility to keep up to date on emerging issues and to conduct ourselves with professional competence, fairness, impartiality, efficiency, and effectiveness.
 - Respect the structure and responsibilities of the board of directors, provide them with facts and advice as a basis for their making policy decisions, and uphold and implement policies adopted by the board of directors.
 - Keep the community informed about issues affecting the poor; facilitate communication by the poor with locally elected public officials and the private sector.
 - Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion
 - Exercise whatever discretionary authority we have under the law to promote the interests of the poor.
 - Lead the Community Action movement with respect, concern, courtesy, and responsiveness,

recognizing that service to the poor is beyond service to oneself.

- Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all our Community Action activities in order to inspire confidence and trust in the Community Action movement.
- Serve in such a way that we do not realize undue personal gain from the performance of our professional duties.
- Avoid any interest or activity that is in conflict with the conduct of official duties.
- Respect and protect privileged information to which we have access in the course of official duties.
- Strive for professional excellence and encourage the professional development of our associates, including those seeking to become certified Community Action professionals.

B. Responsibility to Residents: Newcap staff and volunteers will:

1. Reflect the high value of each individual, be mindful of differences, cultural, and ethnic diversity
2. Refrain from discriminating against any resident on any basis not related to meeting legitimate admission requirements into the shelter
3. Avoid the use of any derogatory language, including jokes, or actions that could be perceived as harassment, disrespect, or retribution
4. Promote well-being by assisting with the development of individual success for independent living
5. Provide a socially responsible attitude in resolving conflicts between resident interest and society interest consistent with values, and ethical principles while respecting human dignity, civil, legal rights, and rights to informed consent
6. Respect residents' right to privacy. Disclosing of confidential information is valid with a written consent authorizing release of information. Disclosure of information does not apply when it is necessary to prevent harm to a resident or others within the living environment, or intention to harm someone else, elsewhere. Review with residents where disclosure of confidential information may be legally required
7. Not engage in any business relationship with residents, their families, or friends. Newcap and volunteers may not accept or exchange substantial favors, gifts, or services with residents, their families or friends
8. Will not discuss any resident information in public or areas such as hallways, stairwells, kitchen or dining room, unless the resident gives verbal permission, or unless privacy can be ensured
9. Make appropriate referrals to help residents meet their needs, and to advocate for the resident

C. Responsibility to Colleagues: Newcap personnel will:

1. Respect all colleagues. Strive to develop a supportive workplace, that upholds the ministry, each other and persons entering this sphere of influence
2. Seek advice, counsel, and support of colleagues when necessary
3. Accept supervisory responsibilities when possessing the necessary education, skills, or training
4. Follow nationally established policies and standards regarding relationships and interactions with colleagues. Maintain open communication with all colleagues
5. Discourage, prevent, and confront unethical behavior through official chain of command
6. Not exploit residents in disputes with colleagues. Discussions of management, personnel conflicts between colleagues involving residents are inappropriate and unethical

D. Responsibility to Society: Newcap personnel will:

1. Promote the development of individual's capacity to participate as a contributor to the community
2. Promote social justice and the general well-being of the community and advocate for the policies and programs that ensure all persons have access to human resources
3. Report suspected or observed abuse of a child or vulnerable adult, criminal activity or a threat of harm to

a resident, staff or volunteers

4. Reinforcing Newcap as part of the community and building rapport
5. Use funds for purposes stated. Program statistics will be supported by accurate program data

E. Responsibility as Professionals: Newcap personnel will:

1. Maintain professional competence through regular in-services, staff training, continuing education, training and supervisory feedback
2. Maintain relationships with residents, colleagues, supervisors, and the community which are constructive and promote mutual respect to improve the quality of life
3. Make clear distinctions between public statements and actions as a representative of Newcap from those made as a private individual. All statements made on behalf of Newcap must accurately represent the official, authorized, and approved position.
4. Personally conduct themselves in a manner that reflects positively on Newcap

06.01 PROGRAM: TARGET POPULATION

Policy: Newcap shall provide short term housing options for those eligible for services from Newcap.

Procedure:

- A. Short term housing facilities will provide short term housing assistance to site specific target populations.
 - a. The Center for Youth will serve youth under the age of 18 that are ineligible at the other local shelters
 - b. The Center for Advocating, Believing, and Achieving will serve households with children that are ineligible at the other local shelters
- B. Newcap shelter and motel voucher programming will follow 24 CFR 5.403 for the definition of family.
 - a. Family includes, but is not limited to, regardless of marital status, actual or perceived
 - b. sexual orientation, or gender identity, any group of persons presenting for assistance together
 - c. with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of
 - d. placement in foster care is considered a member of the family.
 - e. Short term housing and motel voucher programs at Newcap that serve families with children will also not discriminate on the basis of the sex or age of the children or the size of the family, except where limited by the facility. The program will take measures to ensure that involuntary family separation does not occur. Furthermore, Newcap staff shall not ask for nor require documentation to prove familial status.
 - f. The short term housing and motel voucher program shall comply with HUD's Equal Access Final Rule and will not discriminate on the basis of gender identity or expression, race, religion, or national origin.
 - g. Furthermore, Newcap will not ask for nor require documentation to prove gender.

06.02 PROGRAM: INTAKE POLICY

Policy: Newcap provides supportive emergency short term housing to target populations of households with children and unaccompanied homeless youth. Newcap is staffed 24 hours/7 days a week.

Procedure:

- C. Admission Process involves intake procedures to be fulfilled upon entry including but not limited to:
 - a. Initial intake packet
 - b. Coordinated Entry

- c. Emergency Contact Information
- d. Emergency Medical Information
- e. Shelter Resident Expectations and Guidelines
- D. Staff reviews all forms for completeness and adds staff signatures where required
- E. Give tour of house, cover “Facility tour checkpoints” per Intake checklist
- F. Case Management Procedures:
 1. Check file for completed forms in proper order, including additional family intake forms if needed.
 2. Complete “Housing Stabilization Plan”. Have resident sign any additional releases that may be required
 3. Make arrangements for priority needs based on Self Sufficiency Matrix and client dreams: Complete GED; Birth certificate &/or Social Security card; Resume &/or Personal data card; Storage/moving of personal belongings; Physical &/or mental health appointments; Resume/personal data card; Transportation for job search or employment; reinstatement of driver’s license.
 4. Give residents the Search form, and explain how to contact the temporary job agencies.
 5. Document summary of case management meeting in resident’s file on Captain.
 6. Complete data entry in the HMIS database and Captain database.

06.03 PROGRAM: TREATMENT/CASE PLAN

Policy: Newcap shall have an established procedure to develop individual case plans.

Procedure:

- A. The Case Plan is developed, jointly with the resident, within 72 hours of the initial intake with client consent
 - a. Case management is strongly encouraged and will be offered daily to short term housing residents
- B. Case Plan is individualized to the specific needs of each resident. It outlines:
 1. Residents perception of their needs and steps they agree to take in resolving the problem
 2. Social services needed by the residents and expected duration of social services
 3. Goals/steps needed for achieving desired dreams

06.04 PROGRAM: PROGRESS GUIDELINES

Policy: Newcap shall recognize progress made by residents toward completion of the program.

Progress shall be determined by successful completion of assignments, goals met, treatment plans followed and positive interaction with case manager(s) and other staff.

Procedure:

- A. Individual goals and treatment plans shall be developed with each resident with resident consent
- B. Case Management meetings shall be held weekly but offered daily on an as needed basis for staff and residents to review and document progress made on individual goals and treatment plans, and make necessary modifications

06.05 PROGRAM: LENGTH OF STAY

Policy: Newcap short term housing facilities

Procedure:

- A. Length of stay will be site specific.
 1. The Center for Youth will follow county, state, and federal guidelines for the length of time that the minor under the age of 18 can stay at the facility. Staff will work with the youth to establish a safe exit strategy whether that be reunification or placement with another family member in accordance with state,

local, and federal guidelines.

2. The Center for Advocating, Believing, and Achieving (CABA) establishes exit plans on a case by case basis, dependent on the individual household needs and barriers. While there is not a time limit for a households' stay, families will be encouraged to work with the staff members regularly on identifying a safe and stable place to exit to.

06.06 PROGRAM: RESIDENT CURFEW

Policy: Newcap shall have an established curfew for short term housing residents.

Procedure:

A. Curfew will be site specific. Residents will be notified of the curfew time at program entry.

1. The Center for Youth will have a curfew of 9:00PM

2. The Center for Advocating, Believing, and Achieving (CABA) will have a curfew of 11:00PM

B. Exceptions to curfew will be made for employment, child care pick up, emergencies, religious events, after school activities, extra-curricular school activities such as sports, and holidays

1. Proof of employment, child care pick up, or religious event may be requested

C. Overnight passes will only be granted for extenuating circumstance and curfew extensions will be on a case by case basis, approved by short term housing staff

06.07 PROGRAM: EDUCATION

Policy: Newcap shall have an established working relationship with local school districts and McKinney Vento services to ensure that school aged children have access to education

Procedure:

A. Staff will refer all school aged children to the local McKinney Vento liaison for school enrollment, transportation, school supplies, and other eligible activities

B. Staff will collaborate and coordinate with the local McKinney Vento liaison for any school based concerns such as but not limited to: attendance, transportation, tutoring services, career planning, etc.

06.08 PROGRAM: RESIDENT RECORDS AND RECORD RETENTION

Policy: Personnel shall abide by all Newcap Policies regarding resident records and their retention.

Procedure:

A. Case Records: Social Service records are maintained primarily for the following purposes:

1. Providing Effective Service - Record all work done with and for residents. They are essential to current case planning and decisions and may have value for further work with residents

2. Service Documentation - Funding, review and advisory organizations demand documentation of the work done. Records provide tracks to the purposes of the program, and to the use of funds

3. Public Relations and Fundraising - Effective public relations and fundraising depend upon clear and honest portrayal of the type and scope of program being rendered

4. Organizational Accountability - Records are maintained to assess the effectiveness of current program and to assist in strategic planning for the future

5. Historical Record - A historical record of the program or institution will be maintained, primarily from the key documents of the work accomplished

6. Research - Case files and other materials may have value in programmatic research whether generated within Newcap or by outside organizations

B. Types of Records & Retention - The records generated in social service programs/institutions will fall into

the following broad categories:

1. Administration records: include general correspondence, financial, personnel, and property materials
2. Organizational records are those generated in relation to the organizational structure and its relationship to the outside community. Including advisory minutes, community reports, historical documents, statistics, etc. These materials will be kept permanently
3. Operational records are relevant to current operations, like forms for the day-to-day operations, such as medication, and incident logs, and intake/exit records. Destroy after one year
4. Resident Records of service to residents or resident groups (families) will be retained for a minimum of seven years following the last resident contact. At minimum these must include identifying information, dates of service, presenting needs, and social services given

C. Summary of Record Retention Requirements:

1. To be kept permanently:
 - a. Organizational Records
 - b. Resident Records pertaining to: Residential care given to minors; as required by law
2. To be kept seven years:
 - a. Resident case records (with exceptions as noted)
4. To be kept One Year:
 - a. Operational Records

C. All records, including electronic records, are kept in a safe, secure and locked fashion. Access is limited to authorized personnel. All transferred records are confidentially listed as to the date of transfer and storage destination

D. Requirements of Federal, state, or county law, licensing or accreditation bodies with regard to handling and retention of records, will take precedence over the minimum requirements in this policy

06.09 PROGRAM: GRIEVANCE POLICY

Policy: Newcap shall ensure that every resident is treated with respect and fairness.

Procedure:

A. Newcap staff will ensure residents are provided with a copy of the grievance policy (Addendum 2).

B. If a resident decides to file a grievance they must follow the process as laid out on the grievance document and described below.

1. Notice of Denial/Termination

- Newcap must be provide a written copy of the notice of denial, provide the reasons and state that the participant has the right to request an informal hearing.

2. Request for Informal Review

- Upon receipt of the notice, the applicant/participant must submit a written request within 10 days from the date of the letter. This procedure must also be stated in the notice of denial that is sent to applicant/participant.

3. Scheduling Informal Hearing

- Once Newcap receives the written request (within the 10-day period), a review will be scheduled within 20 days. The applicant/participant will be notified in writing of the date and time of the review/hearing.

4. Results of Informal Hearing

- The Hearing Officer (someone other than the person who made or approved the decision and their subordinates) must render their decision within 15 days and notify the applicant/participant

in writing.

5. Failure to Request an Informal Hearing

- If the applicant/participant does not request an Informal Hearing in writing within the specified time, the decision to deny/terminate the applicant/participant is final.

C. The purpose for an Informal Hearing is to consider whether the staff members' decision(s) regarding the applicant/participant is in accordance with program rules and regulations.

D. Families may present oral or written objections and dispute criminal records. Before the hearing, the family has the opportunity to examine the documents directly relevant to the hearing. Documents include records and regulations. The family may copy the documents at its own expense.

06.10 PROGRAM: CONFIDENTIALITY POLICY

Policy: No information about individuals receiving services will be disclosed outside of the organization except when informed written consent has been obtained from the resident.

Procedure:

A. Newcap's Release of Information (ROI) form contains:

1. Resident's name
2. The specific information that is to be released
3. Name of the person or agency the information will be released to
4. The date and time limit and signature of resident

B. The ROI form is used as evidence in resident files

C. Release of Records under Court Order

1. Newcap is the owner and controller of all resident records. No records may be removed from Newcap premises or transmitted to other parties without specific approval by Chief Operating Officer, Director of Housing, and/or the Supervisor
2. In the event that Newcap resident records are required by order of a court of competent jurisdiction, when good cause for such disclosure has been determined by the court, the records which have been subpoenaed by the court shall be delivered to the court, on the date requested, only by the Supervisor or other staff as designated in writing

D. Information to the Resident

1. Newcap may be required by state or municipal law to disclose to the resident information contained in his/her own record. Information disclosed should be limited to that which is included in the formally completed and approved case record. The formal case record should contain factual information, not informal case manager notes and/or casual observations. Information provided by other agencies should not be shared, as it is not the property or responsibility of Newcap

E. When there is evidence, information may be released without resident consent only:

1. When there is a real danger that withholding information will be harmful to the resident, others, or to other Newcap programs
2. Under circumstances consistent with Newcap, Social Work Code of Ethics, HIPPA guidelines, and applicable law
3. When there is obvious or suspected child abuse, including sexual abuse. Newcap will comply with all state and municipal laws requiring reporting to governmental agencies of instances of child abuse. Failure to comply with such laws can result in criminal sanctions
4. Information is reported to legally specified government agency as required by law
5. When case material is used for research, teaching, and public interpretation, it is disguised to ensure

privacy

- F. All Newcap resident records are confidential. They are kept in locked files and/or password-protected computer programs, accessible only by staff

06.11 PROGRAM: RESIDENT RIGHTS

Policy: Staff will review the Resident Rights Statement (Addendum 3) with residents during intake. Once resident understands the statement they will be asked to sign the statement for their case file.

Procedure:

- A. Residents will sign the Residents Rights Statement at intake.
- B. Residents will be provided a copy of the Resident Rights Statement.
- C. A signed copy of the Residents Rights Statement will be kept in resident files.

06.12 PROGRAM: MEDICAL CARE FOR RESIDENTS

Policy: Newcap shall ensure that residents shall receive adequate medical care.

Procedure:

- A. Newcap staff will work in collaboration with Newcap Community Health Services (CHS) to provide physical and mental health services including AODA counseling
- B. Newcap staff will make recommendations/referrals for medical care in situations when CHS is unable to assist or not an appropriate referral
- C. Medications:
 - 1. Residents shall be responsible for the taking of their own medications; staff will not assume responsibility for administration of medications
 - 2. All medications are to be securely locked in the appropriate location
 - 3. Staff will not distribute medications of any type such as but not limited to antacids, aspirin, etc.

06.13 PROGRAM: RESIDENT FINANCES

Policy: Newcap shall encourage residents to work with Newcap's Financial Capabilities program

Procedure:

- A. Residents will be referred to Newcap's Financial Capabilities program with resident consent
 - 1. Staff will find alternative financial education courses in the event that Financial Capabilities is not an appropriate referral

06.14 PROGRAM: CRISIS MANAGEMENT POLICY

Policy: Newcap understands the seriousness of correctly handling all crisis situations. Once identified the situation should be handled in a timely and professional manner.

Procedure:

- A. Severely mentally ill
 - 1. Make sure the resident is calm and comfortable. Assess situation and obtain background information from resident
 - 2. Call the Crisis Center at 920-436-8888 and explain the situation, wait and follow the instruction of mental health professional
- B. Under the influence of drugs and/or alcohol
 - 1. Assess situation violent or nonviolent: If violent call 911
 - 2. Based on personnel observation of resident, make a decision to either

- a. Call police to transport resident to emergency room
 - b. Ask resident to find alternative living arrangements within the next 2 hours
- C. If Resident is threatening suicide
 - a. Assess current situation
 - b. Call the Crisis Center at 920-436-8888 explain the situation, wait and follow directions from them
 - c. If staff feels the resident is suicidal call 911 so local law enforcement can assess resident and take the proper legal steps
- D. Threatening to hurt self or others
 - a. Have all other residents remove themselves from the area of the person that is making threats. Call 911 immediately for assistance
- E. Victims of violence or sexual assault
 - a. Call 911 to report the incident to proper authorities. Follow their instructions
 - b. Refer to the local domestic violence agency and sexual assault center when requested by the resident

06.15 PROGRAM: INCIDENT AND INJURIES POLICY

Policy: Newcap understands the seriousness of correctly handling all incidents or injuries. Once identified the situation should be handled in a timely and professional manner.

Procedure:

- A. Incident or Injury
 - 1. Assess scene to ensure scene safety
 - 2. Assess situation to determine the extent of injury
 - 3. Seek medical assistance if needed
 - 4. If able, have injured party, and all witnesses fill out incident report
 - 1. Incident Report can be obtained from N: drive or from Human Resources
 - 5. Provide documentation to Supervisor or Director of Housing who will provide incident report to the Chief Operating Officer

06.16 PROGRAM: NEIGHBORHOOD CONCERN

Policy: Newcap understands the seriousness of correctly handling all community and neighborhood concerns. Once identified the situation should be handled in a timely and professional manner.

Procedure:

- A. When a neighbor presents an issue or concern staff will provide a “Neighborhood Contact Form” (Addendum 6) to the neighbor for documentation
 - 1. Once form is completed it should be turned into the Supervisor who will provide follow up and report back to the Director of Housing
 - 2. Follow up will occur within 2 business days

ADDENDUM 1: Employee Safety Manual



Employee Safety Manual

Newcap

A Guide to Safety Policies & Procedures to Support a Safety-Conscious Work Environment

Provided by: Marsh & McLennan Agency

Commitment to Safety

Newcap recognizes that our people drive the business. As the most critical resource, employees will be safeguarded through training, provision of appropriate work surroundings, and procedures that foster protection of health and safety. All work conducted by Newcap's employees will take into account the intent of this policy. **No duty, no matter what its perceived result, will be deemed more important than employee health and safety.**

Newcap is firmly committed to the safety of our employees. We will do everything possible to prevent workplace accidents and we are committed to providing a safe working environment for all employees.

We value our employees not only as employees but also as human beings critical to the success of their family, the local community, and Newcap.

Employees are encouraged to report any unsafe work practices or safety hazards encountered on the job. All accidents/incidents (no matter how slight) are to be immediately reported to the supervisor on duty.

A key factor in implementing this policy will be the strict compliance to all applicable federal, state, local, and company policies and procedures. Failure to comply with these policies may result in disciplinary actions.

Respecting this, Newcap will make every reasonable effort to provide a safe and healthful workplace that is free from any recognized or known potential hazards. Additionally, Newcap subscribes to these principles:

1. All accidents are preventable through implementation of effective Safety and Health Control policies and programs.
2. Safety and Health controls are a major part of our work every day.
3. Accident prevention is good business. It minimizes human suffering, promotes better working conditions for everyone, holds Newcap in higher regard with customers, and increases productivity. This is why Newcap will comply with all safety and health regulations which apply to the course and scope of operations.
4. Management is responsible for providing the safest possible workplace for Employees. Consequently, management of Newcap is committed to allocating and providing all of the resources needed to promote and effectively implement this safety policy.
5. Employees are responsible for following safe work practices and company rules, and for preventing accidents and injuries. Management will establish lines of communication to solicit and receive comments, information, suggestions and assistance from employees where safety and health are concerned.
6. Management and supervisors of Newcap will set an exemplary example with good attitudes and strong commitment to safety and health in the workplace. Toward this end, Management must monitor company safety and health performance, working environment and conditions to ensure that program objectives are achieved.
7. Our safety program applies to all employees and persons affected or associated in any way by the scope of this business. Everyone's goal must be to constantly improve safety awareness and to prevent accidents and injuries.

Everyone at Newcap must be involved and committed to safety. This must be a team effort. Together, we can prevent accidents and injuries. Together, we can keep each other safe and healthy in the work that provides our livelihood.

Chief Executive Officer - Newcap

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The primary responsibility of the employees of Newcap is to perform his or her duties in a safe manner in order to prevent injury to themselves and others.

As a condition of employment, employees **MUST** become familiar with, observe, and obey Newcap's rules and established policies for health, safety, and preventing injuries while at work. Additionally, employees **MUST** learn the approved safe practices and procedures that apply to their work.

Before beginning special work or new assignments, an employee should review applicable and appropriate safety rules.

If an employee has any questions about how a task should be done safely, he or she is under instruction **NOT** to begin the task until he or she discusses the situation with his or her supervisor. Together, they will determine the safe way to do the job.

If, after discussing a safety situation with his or her supervisor, an employee still has questions or concerns, he or she is required to contact the Safety Coordinator, Bob Detrick.

NO EMPLOYEE IS EVER REQUIRED to perform work that he or she believes is unsafe, or that he or she thinks is likely to cause injury or a health risk to themselves or others.

Employee Safety Rules

1. **Conduct:** Horseplay, practical jokes, etc., are forbidden. Employees are required to work in an injury-free manner displaying accepted levels of behavior. Conduct that places the employee or others at risk, or which threatens or intimidates others, is forbidden.
2. **Drugs and Alcohol:** Use and/or possession of illegal drugs or alcohol on company property or on company time are forbidden. Reporting for work while under the influence of illegal drugs or alcohol is forbidden.
3. **Housekeeping:** The following areas must remain clear of obstructions:
 - Aisles/exits
 - Fire extinguishers and emergency equipment
 - All electrical breakers, controls, and switches

You are responsible to keep your work area clean and safe. Clean-up several times throughout the day, disposing of trash and waste in approved containers, wiping up any drips/spills immediately, and putting equipment and tools away as you are finished with them.

4. **Injury Reporting:** All work-related injuries must be reported to your supervisor immediately. Failure to immediately report injuries can result in loss of Workers' Compensation benefits. After each medical appointment resulting from a work-related injury, you must contact your supervisor to discuss your progress. You must also give your supervisor any paperwork that you received at the appointment.

Newcap provides Transitional Return to Work (light duty) jobs for persons injured at work. Transitional work is meant to allow the injured employee to heal under a doctor's care while she/he remains productive. Employees are required to return to work immediately upon release.

5. **Personal Protective Equipment (PPE):** Inspect PPE prior to each use. Do not use damaged PPE. You are required to maintain and keep PPE clean.
 - a) Safety Glasses—must be worn at all times in designated areas in this facility. (To date, we have no designated areas)
 - b)
 - c) Hard Hats—must be worn at all times in designated areas. (To date, we have no designated areas).
 - d) Gloves—work gloves must be worn at all times when handling sharp or rough stock, welding, or performing other jobs, which could cause hand injuries. Synthetic gloves must be worn when handling chemicals.
 - e) Respirators—only employees trained and authorized to use respirators are allowed to do so.
 - f) Hearing Protection—is required in areas where noise exposure is more than 90dBA (85dBA if you already have experienced a hearing loss).
6. **Equipment Operation:** You must specifically be trained and authorized by your supervisor to operate the following:
 - Company vehicles,
 - Forklifts,
 - Machine and power tools,
 - Paint sprayers,

When operating machines: do not wear loose clothing, long hair should be tied up and back, remove jewelry, and sleeves should either be rolled all the way up, or all the way down.

Employee Safety Rules

Never operate damaged or defective equipment. Turn the machine off and report it to your supervisor immediately.

Never tamper with, remove, or deactivate machine guards or controls designed to ensure safe operations. Never reach into an operating machine or moving machine part.

7. Ladders:

- Inspect all ladders prior to each use;
- Ladders must be placed on secure footing;
- Only one person is allowed on a ladder at a time;
- Never stand on the top two steps of a stepladder;
- Always maintain 3-point contact when working on ladders;
- Never reach beyond arm length when working on a ladder; and
- Never use metal ladders when working on or around electrical equipment.

8. Lockout / Tagout—prior to working on any machinery when guards are removed, every energy source (electrical, hydraulic, chemical, mechanical, etc.) must be deactivated, stored energy dissipated, and the control locked in the off (safe) position.

Never remove or tamper with a lockout performed by another employee or contractor. A lockout could consist of a lock applied to a control such as a switch, breaker, or valve. A tag containing words such as “DANGER - DO NOT OPERATE” may also be used for lockout. If you see the lock, the tag, or both applied to an energy control device it means, “Keep your hands off.”

9. Hazard Communication:

1. All Newcap employees have a right to know what chemicals they work with, what the hazards are and how to handle them safely.
2. Safety Data Sheets (SDS) are documents provided by the supplier of a chemical. SDSs detail the chemical contents, associated hazards and general safe handling guidelines. At Newcap, the SDS collection is located at: **Online on the N:drive , see Safety Folder/SDS**. Employees are free to utilize the SDS as needed.
3. General rules for handling chemicals:
 - Read all label warnings and instructions.
 - Follow instructions for quantity. More does not mean better.
 - Minimize contact with chemicals. Use double layer cloths or gloves to protect your skin and keep your face clear of the area to reduce inhalation.
 - Always wash your hands after handling chemicals.
 - If a chemical enters your eye(s) immediately hold open the injured eye(s) and rinse it/them with clean, cool water for 15 minutes. Then be sure to report the injury immediately.
 - Any questions or concerns regarding chemicals should be reported to your jobsite manager and Human Resources.

Employee Safety Rules

4. All chemical containers must be labeled to identify contents and hazards. Standardized pictograms, denoted by red frames, will be required on all chemical labels regardless of whether the shipment is domestic or international.

Health Hazard  • Carcinogen • Mutagenicity • Reproductive toxicity • Respiratory sensitizer • Target organ toxicity • Aspiration toxicity	Flame  • Flammables • Pyrophorics • Self-heating • Emits flammable gas • Self-reactives • Organic peroxides	Exclamation Mark  • Irritant (skin and eye) • Skin sensitizer • Acute toxicity (harmful) • Narcotic effects • Respiratory tract irritant • Hazardous to ozone layer	Gas Cylinder  • Gases under pressure	Corrosion  • Skin corrosion/burns • Eye damage • Corrosive to metals	Exploding Bomb  • Explosives • Self-reactives • Organic peroxides
			Flame Over Circle  • Oxidizers	Environment*  • Aquatic toxicity *under EPA jurisdiction	Skull & Crossbones  • Acute toxicity (fatal or toxic)

- 10. Confined Space Entry** – Only trained and authorized employees are permitted to enter confined spaces. If you believe that your job requires confined space entry, contact your supervisor prior to undertaking the work. Permit Required Confined Space entry requires the use of ventilation, air monitoring and documentation. **Permit Required** Confined spaces are areas not meant for human occupancy, have limited means of entry/exit, and have electrical, chemical, thermal, atmosphere, or entrapment hazards.

11. Emergencies:

- In the event of any serious injury or fire, call 911. Send someone to the facility entrance to meet the Fire Department, if safe to do so. If in doubt, call 911.
- Upon discovering a fire, or fire alarm initiates, alert others in immediate danger and initiate facility-wide fire alarm **(All Page and announce there is a fire in the building, evacuate to Building parking lot immediately!)**
- When the evacuation signal is given, all employees should immediately turn off equipment, close doors, and evacuate to their designated evacuation areas. Attendance will be taken to account for all personnel. Stay together in the group until further instructions are received.
- Do not attempt to fight any fire which is uncontained, too hot, too smoky, or if you are too frightened.

To use a fire extinguisher, remember PASS:

- P = Pull (the safety pin)
- A = Aim (at the base of the fire)
- S = Squeeze (the lever)
- S = Sweep (side to side)

If you use a fire extinguisher, remember:

- Stay low,

- Keep yourself between the fire and an exit,
- Do not turn your back on a fire
- **Immediately leave the area after discharging the fire extinguisher, the chemical should not be inhaled**
- Immediately report the use to your supervisor.

12. Employee Safety rules

Do not touch blood or any other bodily fluid during or following an incident. If you are trained to administer first aid, gloves and other barriers are located with the first aid equipment. If you think that you have been exposed to bodily fluid, notify your supervisor immediately.

13. Company Vehicles and Driver Safety:

- Only employees authorized by Newcap are permitted to operate Newcap vehicles.
- No 'side trips' or personal use of company vehicles are permitted.
- Seat belts/shoulder harnesses must be worn whenever the vehicle is in motion.
- All local and state traffic regulations and signs must be followed.
- No unauthorized riders, hitchhikers, etc., are allowed.
- All moving violations resulting in points being assigned to your license must be reported to your supervisor.
- Driving while under the influence of alcohol or other drugs is forbidden.

Employees driving their personal vehicles on company business must follow steps c through g, shown above.

14. Electrical Safety:

- Never operate or tamper with the electrical main switch or breakers. You are authorized only to operate switches/disconnects on/for individual machines.
- Report all electrical problems and suspected problems to your supervisor.
- All junction boxes, control boxes, connections, and other wiring must have covers securely installed to prevent accidental contact.
- Inspect all plugs, cords, and portable equipment prior to use.
- Report any damaged electrical equipment to your supervisor. **Only authorized personnel are permitted to make repairs.**
- Extension cords are to be used only for temporary applications. Never stretch cords across aisles or areas where others may trip over them. Do not attach extension cords to the building or run them under rugs/mats or through walls.
- Any personal electrical devices must be approved by Newcap prior to use.

15. Lifting:

- If you need help moving material, request assistance. **Do not attempt to lift more than 50 Lbs. by yourself**
- When you lift, use your leg muscles by squatting close to the load, preserving the curve in your back, spreading your feet, and lifting with your legs, keeping the load close to your body. **Make sure your travel path is clear of obstacles prior to lifting.**

c) When you turn holding an object, move your feet, and do not twist.

16. Staying Safe - Report any unsafe conditions or situations to your supervisor. If you have suggestions on improving any aspect of safety in the facility, discuss it. If you are unsure of how to operate a piece of equipment or complete an assignment, **ask for help**. Asking for help when you are unsure reduces the chance of injury.

These rules are established to help you stay safe and injury free. Violation of the above rules, or conduct that does not meet minimum accepted work standards, will result in discipline, up to and including discharge.

When working at a customer location, employees are required to follow the above rules, as well as all customer rules and procedures, and work in a manner that reflects positively on the company. Before operating any equipment at a customer location, permission must first be secured from the customer contact.

Safety Coordinator Responsibilities

Bob Detrick is designated as Newcap's Safety Coordinator. Energy Auditor's are designated as the Associate Safety Coordinators. The Safety Coordinator is responsible for implementation and compliance with the Safety and Health Policy of Newcap and is accountable for results as measured by criteria, such as incident rates.

Other responsibilities include:

1. Resolve questions, approve and/or recommend necessary expenditures to correct unsafe conditions.
2. Make regular shop, warehouse, office and ground-job site tours, and safety inspections to determine if safe work practices are being observed; ensure that unsafe conditions do not exist.
3. Actively participate and follow the safety and health programs.
4. Plan, coordinate, perform, or delegate all safety training and testing given to supervisors and employees. Review results to be sure they are satisfactory. Note: The VP of Energy Services will maintain appropriate training and testing safety records and coordinate the training of new employees assigned to the weatherization department.
5. Personally perform safety inspections, and review safety inspection reports and unsafe conditions reported by supervisors, employees, or others. Make or obtain corrections as required to maintain a safe workplace and ensure compliance.
6. Conduct regular safety meetings with employees to promote safety awareness and compliance with the Safety and Health Policies.
7. Ensure safety awareness among workers through regular meetings.
8. Ensure compliance with safe work practices and Newcap's safety rules. Take appropriate disciplinary action to ensure compliance. This includes safe working procedures in weatherization, the warehouse, and office operations.
9. Investigate accidents and assist with completion of accident report forms when required.
10. Review reports of first aid incidents and reportable injuries to determine possible preventative actions. Take immediate corrective actions as required.
11. Ensure that specific programs (i.e. hazard communication, protection from bloodborne pathogens, hearing conservation, forklift safety/operator certification) are implemented and complied with consistently.

Client Visits

1. Employees of Newcap are required to follow all client safety and security procedures during client visits.
2. If your client host does not advise you regarding safety hazards consider the following:
 - Emergency exit location(s);
 - Keep your eye on the path you are walking and avoid any tripping/slipping hazards. When on stairs maintain three point contact (hand on rail and feet on stairs);
 - When visiting manufacturing or construction sites, eye protection, hearing protection, and hard hats are frequently required. Ideally, this equipment will be in the possession of the Newcap employee and not provided by the client.

If you will be touring a factory or construction site, dress appropriately. Wear shoes that support your feet and are slip resistant. Avoid clothing that is either constrictive or too loose; loose clothing be get caught in machinery or other equipment.

Reporting Injuries

Any work-related injury or suspected injury must be reported immediately to your supervisor and to Human Resources. A **Report of Injury or Illness** form must be completed. Failure to promptly report an injury may result in disciplinary action.

1. Human Resources will issue a **Return to Work Evaluation Form** for the injured employee to take to the treating medical practitioner. The employee must return this form to Human Resources by the next business day.
2. After each practitioner appointment, the employee must report to his/her supervisor and Human Resources to review his/her progress.
3. Newcap provides light duty work for employees recovering from injury. Employees are required to return to light duty work immediately upon release.
4. An accident investigation will be conducted to determine the root cause of the accident. The injured employee will be asked to participate in the investigation.
5. Employees are urged to report hazardous conditions and “near miss” incidents to their supervisors before injuries result.
6. Any attempt to defraud Newcap with a false workers’ compensation claim will result in disciplinary action. The case can also be referred to the district attorney for possible prosecution.

Emergency Action Plan

GENERAL EMERGENCY GUIDELINES:

- Stay calm and think through your actions
- Know the emergency numbers:
 - Fire/Police/Ambulance 911
 - Internal Emergency Number – PA system if equipped
 - Human Resources - **Candy LaCount 834-4621 Ext. 1107**
 - Page – **Announce concern and location**
 - Operator “0”
- Know where the stairwell exits are located
- In the event of any emergency, do not take elevators, use the stairs
- Do not hesitate to call/alert others if you believe that an emergency is occurring—you will not “get in trouble.”
- Know where emergency equipment is located: **(First Aid Kits, for now. AED possible in future-will list)**

FIRE EVACUATION

- Employees will be notified of a fire alarm either by the fire alarm system or by a paged announcement.
- Upon becoming aware of a fire alarm, employees should immediately evacuate the building using the closest stairs. Do not delay evacuation to get personal belongings or to wait for co-workers. Also, all doors should be closed as the last person passes through. (Note: never use elevators during fire alarm situations).
- Supervisors should be the last persons to leave the area. Check in conference rooms, lavatories, and offices to be sure that all personnel have evacuated.
- Any employee having a mobility, visual, hearing, or other condition, which may hinder them from becoming aware of an emergency or evacuating, should request special assistance through Human Resources.
- Upon exiting the building, personnel should report to the **Buildings rear parking lot** for further instruction and a headcount.
- If any employee is missing, an immediate report should be made to **any available supervisor**, who will in turn report to the first available fire department officer.
- Employees should stay together in a group so that periodic updates on the situation can be issued.
- The order to re-occupy the building will be issued by **an “All Clear Notification” This decision will take place as authorized by the responding fire commander.** The CEO, HR Director, VP of Operations or Safety Coordinator will give the okay after high agreement is reached, and city officials agree that the building is safe to re-occupy.

2. EMPLOYEE DISCOVERING A FIRE:

- Alert other persons in the immediate hazard area.
- Activate a fire alarm or page an emergency announcement.
- If you have been trained, you can decide to use a fire extinguisher following these instructions:
 - P=Pull the safety pin
 - A=Aim the nozzle at the base of the fire
 - S=Squeeze the operating lever
 - S=Sweep side to side covering the base of the fire

**When using a fire extinguisher always stay between the fire and an exit; stay low and back away when the fire is extinguished.*

Never feel that using a fire extinguisher is required. If the fire is too hot, too smoky or you are frightened, evacuate. **Once extinguisher has been used, evacuate the area immediately. Extinguisher dust should not be inhaled*

Notify the fire department where the emergency is located. He/she will relay this information to the fire department.

Emergency Action Plan

3. MEDICAL EMERGENCY: (chest pains, loss of consciousness, fall from a height, etc.)

- Upon discovering a medical emergency, call 911.
- Call the operator ("O") and report the nature of the medical emergency and location.
- Stay with the person involved being careful not to come in contact with any bodily fluids, unless properly trained and equipped.
- Send two persons (greeters) to the building entrance/s, to await the fire department. (One person should call and hold an elevator car. Often two fire department units will arrive, so the second greeter should wait at the entrance to receive the second unit while the first greeter escorts the fire dept. personnel to the scene).
- Employees in the immediate vicinity of the emergency, but not directly involved, should leave the area.
- Human Resources will make any necessary notifications to family members of the person suffering the medical emergency.

4. SEVERE WEATHER:

- The **Administrative Assistant** or Safety Coordinator will monitor a weather situation. If a severe weather report is issued, she/he will immediately page the following announcement: **There is severe weather approaching, All workers evacuate to the basement Furnace Room Immediately.** (This announcement will be repeated three times).
- Employees will immediately shut down office equipment and will proceed to the basement furnace room. Failure to do so will result in disciplinary action.
- When the severe weather warning is cancelled, the Safety Coordinator/ VP/CEO or site administrative lead person will announce that it is safe to return to office areas.

5. WORKPLACE VIOLENCE:

- Any employee who feels that she/he has been threatened should immediately report their concern to their supervisor and to Human Resources.
- If any person is observed exhibiting threatening behavior or making threatening statements, the person discovering the situation should warn others in the area and immediately notify Human Resources and stay away from the person exhibiting threatening behavior.
- Depending upon the level of concern, the **Green Bay police department phone number is 920-448-3200**, should be called immediately. **If urgent, dial 911.**
- Never attempt to confront any person exhibiting threatening behavior.

*If you have reason to believe that events in your personal life could result in acts of violence occurring at work, you are urged to confidentially discuss the issue with Human Resources so that a prevention plan can be developed.

Emergency Contact Information

GREEN BAY FIRE DEPARTMENT:

TELEPHONE: 920-448-3280

GREEN BAY POLICE DEPARTMENT:

TELEPHONE: 920-448-3200

EMERGENCY MEDICAL SERVICES (AMBULANCE):

TELEPHONE: 911

HOSPITAL: Green Bay - Bellin Health Hospital

744 S. Webster Avenue. Open 7 days a week, 24 hours a day.

TELEPHONE: 920-433-3500

DOCTOR: _____ ADDRESS: _____

TELEPHONE: _____

JOBSITE TELEPHONE NUMBERS:

PROJECT NAME / NUMBER:

ADDRESS: _____

TELEPHONE: _____

SITE SUPERINTENDENT: _____

HOME TELEPHONE: _____

CLIENT CONTACT: _____

OFFICE TELEPHONE: _____

HOME TELEPHONE: _____

Fire Prevention Plan & Electrical Safety

1. Smoking is not allowed in any interior area of the building. Smoking is only allowed in designated exterior smoking areas.
2. No candles or open flames are allowed within the facility.
3. Hot work: contractors performing hot work (welding, grinding, flame cutting, brazing, soldering, etc.) must contact **their supervisor** for approval prior to the start of the work.
4. Only space heaters provided by the company are approved for use within the facility. Employees using space heaters are responsible to turn the heater off when leaving their desk for extended periods of time (lunch, end of the workday, etc.).
5. No flammable chemicals are allowed to be stored inside the building at any time, **unless stored in NFPA approved flammable container storage lockers.**
6. **If you feel that there is a work-related need to use a flammable chemical, be sure to read the directions and follow the information listed in the SDS. If you need further assistance, contact the safety manager for guidance.**
7. Electrical safety:
 - With the exception of independently fused multi-tap cords for computers, extension cords are not allowed.
 - Keep electric cords out of areas where they will be damaged by stepping on/kicking them.
 - Turn electrical appliances off with the switch, not by pulling out the plug.
 - Turn all appliances off before leaving for the day.
 - Radios/tape/CD players and PDAs are the only personal electrical devices allowed to be used in offices/cubes. These devices must be in good repair. NEWCAP reserves the right to instruct you to remove personal electrical devices at any time.
 - **Only licensed electricians are allowed to remove the cover on an electrical panel. Prior to removal, power to the panel must be shut off and locked and tagged out of service.**
 - Never run cords under rugs or other floor coverings.
 - Any electrical problems should be reported immediately to **Matt Dimmer.**
8. The following areas must remain clear and unobstructed at all times:
 - Exit doors,
 - Aisles,
 - Electrical panels, and
 - Fire extinguishers.

Return to Work Program

It is our goal to prevent work-related injuries from happening. We are always concerned when one of our employees is injured or ill due to a work-related condition. We believe that such absences cost both Newcap and its employees. We want our injured employees to get the best possible medical treatment immediately to assure the earliest possible recovery and return to work.

Newcap has a workers' compensation program available for employees who have suffered work-related injuries. The program's administrator will determine, based upon their guidelines, whether you are eligible for wage loss or medical expenses under that program.

Newcap wants to provide meaningful work activity for all employees who become unable to perform all, or portions, of their regular work assignment. Thus, we have implemented a Return to Work program, which includes transitional or light duty work. The Return to Work program is temporary, not to exceed six months.

Employee Procedures

- All work-related injuries should always be reported immediately to your supervisor no later than the end of the shift on which the injury occurs.
- **In the event of an emergency, such as a severe bodily harm, immediately dial 911.**
- **If the injury does not require immediate emergency care, after notifying your supervisor of your injury, call the Risk Administration Services Triage Nurse (RAS) at 1-844-332-5238. A Registered Nurse (R.N.) will evaluate your injury and give instructions for care, or refer you to a medical provider for advanced care.**
- If a **post-accident drug screen** is not performed the **same day** as the injury, the employee will only be paid up to one hour while taking time out to have the drug screen sample collected.
- You must complete and sign a Report of Injury or Illness form.
- **In the event advance medical care is necessary as dictated by the RAS Nurse (stiches, x-rays, etc.),** the injured employee must advise their supervisor that they are seeking treatment and obtain a Return to Work Evaluation form. Regardless of the choice of physicians, the Return to Work form must be completed for each practitioner visit. Newcap will not accept a general note stating that you are only to be off of work.
- Under this program, temporary light duty work is available for up to sixty (60) days (with a review of your progress every 30 days) while you are temporarily unable to work in your regular job capacity. Transitional or light duty work beyond sixty (60) days, up to a maximum of six (6) months, will be evaluated on a case-by-case basis.
- If you are unable to return to your regular job, but are capable of performing transitional duty, you must return to transitional duty. Failure to do so will result in your not being eligible for full disability benefits under the workers' compensation program, and may result in disqualification for certain employee benefits and, in some cases, be a basis for termination.
- Employees who are unable to work and whose absences Newcap approves must keep us informed on a weekly basis of their status. Failure to do so will result in a reduction in benefits available and discipline, up to and including termination from employment.
- If you are unable to return to your regular job or transitional duty, your absence must be approved under the Family Medical Leave Act (FMLA) program. For this purpose, you need to complete a Family Medical Leave Request form and submit it to the Human Resources Department. You must also have your practitioner complete both the Return to Work Evaluation form and Return to Work Request / Physician's Authorization form.
- Employees who are not eligible for leave under FMLA must return to light duty or regular work if at all possible. If you are unable to return to any available work, your job position may be filled after a reasonable time. When able to do so, you will be entitled to return to a suitable position, if available and consistent with any limitations. However, you must keep us regularly informed of your status and any changes in your condition.
- Employees must provide a Return to Work form indicating they are capable of returning to full duty. Permanent restrictions will be evaluated on a case-by-case basis and relate to the performance of essential job functions. No permanent light duty positions will be created.
- Cooperate with our third-party administrator and provide accurate and complete information as soon as possible so that you receive all benefits to which you are entitled. If you have problems or concerns, please contact your Job Site Foreman and the Human Resources Department.

Hazard Communication

1. All Newcap employees have a right to know what chemicals they work with, what the hazards are and how to handle them safely.
2. **Safety Data Sheets** (SDS) are documents provided by the supplier of a chemical. SDSs detail the chemical contents, associated hazards and general safe handling guidelines. At Newcap, the SDS collection is located: [Online in the N:drive, see Safety Folder/SDS](#). Employees are free to utilize the SDS as needed.
3. General rules for handling chemicals:
 - Read all label warnings and instructions.
 - Follow instructions for quantity. More does not mean better.
 - Minimize contact with chemicals. Use double layer cloths or gloves to protect your skin and keep your face clear of the area to reduce inhalation.
 - Always wash your hands after handling chemicals.
 - If a chemical enters your eye(s) immediately hold open the injured eye(s) and rinse it/them with clean, cool water for 15 minutes. Then be sure to report the injury immediately.
 - Any questions or concerns regarding chemicals should be reported to your manager or the Safety Coordinator.
4. All chemical containers must be labeled to identify contents and hazards. Labels will include:
 - **Product Identifier**: The chemical's name and a list of the substance(s) it contains.
 - **Supplier Information**: Name, address and phone number of the chemical's manufacturer or supplier.
 - **Pictogram**: A symbol plus other graphic elements, such as a border, background pattern, or color that conveys specific information about the dangers of a chemical. Each pictogram consists of a different symbol on a white background within a red square frame set on a point (i.e. a red diamond). There are nine pictograms under the GHS. However, only eight pictograms are required by OSHA.
 - **Precautionary Statement**: One or more phrases that describe recommended measures to be taken to minimize or prevent adverse effects resulting from exposure to a hazardous chemical or improper storage or handling of a hazardous chemical.
 - **Signal words**: A single word used to indicate the relative level of severity of the hazard and alert the reader to a potential hazard on the label. The signal words used are "danger" and "warning." "Danger" is used for the more severe hazards, while "warning" is used for less severe hazards.
 - **Hazard Statement**: A statement assigned to a hazard class and category that describes the nature of the hazard(s) a chemical presents. Each hazard statement has designated a code to help for reference purposes, but the actual phrasing must appear on the label.

Office Safety:

1. Never leave file drawers open, or open multiple file drawers at once.
2. Do not stack heavy or bulky objects on top of cabinets.
3. Do not store frequently used objects above shoulder height or below knee height.
4. Never reach into office machines without turning them off and unplugging them if possible.
5. Keep your work area free of trip hazards such as storage in walkways, cords across aisles, and damaged floor coverings.
6. Inspect step stools/ladders before use. Be sure to keep a stationary object in front of you when using a step stool to provide stability.
7. Never use defective or broken equipment. Report these problems to your supervisor.

Security:

1. Always be aware of your surroundings. Keep your head up and hands out of your pockets while walking to and from your car.
2. Immediately report any suspicious activity or persons to **your supervisor and the HR Director**. And immediately report any theft to the **HR Director**.
3. When parking, remove all valuables from sight and lock car doors.
4. Do not enter an elevator car if you are concerned about other riders; instead, wait for the next car.
5. Keep all valuables (money, purse, jewelry, etc.) out of sight when at your desk. Do not bring large sums of money or other valuables into the building.
6. Secure laptop computers, PDAs, and other small electronic devices before leaving your workspace for extended periods of time (lunch, meetings, etc.).
7. If you are working alone and are in the office before or after regular business hours, on weekends, or holidays, observe these additional guidelines:
 - Be sure doors close and lock after you.
 - Turn on lights as you move through the building.
 - Always be aware of the closest telephone (do not hesitate to call 911 if you feel threatened).
 - Be sure that someone at home knows that you are at work and is expecting you to check in by a specified time.
 - As you leave the office, be sure to turn off all equipment, lights, etc., after use.
 - See WORKING ALONE POLICY Page 23 for specific details.
8. Weapons, including firearms, knives with blades longer than two inches, bow/arrow, mace, tear gas, and clubs, are not allowed on Newcap property.
9. The VP of Safety and the Deputy CEO/Executive VP of Operations, at their discretion, may choose to provide certain at-risk employees with state of Wisconsin approved pepper spray. Individuals issued pepper spray will receive training for proper usage and safety protocol. Employees must adhere to state guidelines regarding pepper spray.

Sexual Harassment Policy

Newcap does not tolerate harassment of our job applicants, employees, clients, guests, vendors, customers, or persons doing business with Newcap. Any form of harassment related to an employee's race, color, sex, religion, national origin, age, citizenship status, veteran status, or handicap is a violation of this policy and will be treated as a disciplinary matter. For these purposes, the term harassment includes, but is not limited to, slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, sex, religion, or national origin; sexual advances; requests for sexual favors and other verbal, graphic, or physical conduct of a sexual nature.

Violation of this policy by an employee shall subject that employee to disciplinary action, up to and including immediate discharge.

Sexual harassment, one type of prohibited harassment, has been defined according to Newcap guidelines as:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's employment; or
- *Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.*

Examples of conduct prohibited by this policy include but are not limited to:

- Unwelcome sexual flirtation, advances, or propositions;
- Verbal comments related to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation;
- Explicit or degrading verbal comments about another individual or his/her appearance;
- The display of sexually suggestive pictures or objects in any workplace location including transmission or display via computer;
- Any sexually offensive or abusive physical conduct;
- The taking of or the refusal to take any personnel action based on an employee's submission to or referral of sexual overtures; and
- Displaying cartoons or telling jokes that relate to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation.

Harassment of our employees in connection with their work by non-employees may also be a violation of this policy. Any employee who becomes aware of any harassment of an employee by a non-employee should report such harassment to his or her supervisor. Appropriate action will be taken with respect to violation of this policy by any non-employee.

If you believe that you are being subjected to workplace harassment, you should:

1. Tell the harasser that his or her actions are not welcome and they must stop, if you feel comfortable enough to do so.
2. Report the incident immediately to your supervisor/manager, the Human Resources Director.
3. Report any additional incidents that may occur to one of the above resources.

Any reported incident will be investigated. Complaints and actions taken to resolve complaints will be handled as confidentially as possible, given Newcap's obligation to investigate and act upon reports of such harassment.

Retaliation of any kind against an employee who reports a suspected incident of sexual harassment is prohibited. An employee who violates this policy or retaliates against an employee in any way will be subject to disciplinary action up to and including termination.

Considerations Following a Serious Industrial Accident

Any work-related accident resulting in serious injury or the death of an employee presents significant emotional challenges for management. Following are some guidelines, which may reduce the effects on fellow employees and minimize the impact from regulators, such as OSHA.

1. Be prepared to talk to local police officials, district attorney investigators, coroners, and OSHA compliance officers. Be aware that police and district attorneys can conduct criminal investigations. Be truthful but do not speculate or offer unsolicited opinions, information, or theories. Also be prepared for contacts from local news media. Consult with legal advisors if in doubt. (Operate under the assumption that OSHA will investigate. Take steps to be sure that your entire facility is as prepared as possible).
2. Fatalities must be reported to OSHA **within eight hours**. Any in-patient hospitalization, amputation or loss of an eye must be reported to OSHA **within 24 hours**. This report can be submitted to a local OSHA office (in phone or in person) or the central OSHA office (1-800-321-OSHA (6742) or TTY 1-877-889-5627).
3. Have a representative of your company contact the employee's next of kin to inform her/him of the circumstances. If possible, this contact should be made in person. Offer to provide transportation and/or other support. (For example, providing a Newcap representative at the hospital will convey the company's concern).
4. Get all witnesses names. If some witnesses are not employees, be sure to get full addresses and phone numbers.
5. Render safe any hazards created by the accident scene. (i.e. material that may fall, leaking chemicals, etc.). Rope off or otherwise isolate the accident scene early on to prevent it from becoming a "tourist attraction."
6. Conduct an initial investigation. If equipment and/or duties directly involved in the accident are duplicated elsewhere in the company, take immediate steps to assure that there will be no re-occurrence of the accident.
7. Take pictures to document the scene. Note anything that may help you identify specific equipment involved such as serial numbers, license plate numbers, etc.
8. Follow Newcap's procedure for bloodborne pathogens in cleaning any bodily fluid spills.
9. Consider meeting with employees in small groups to discuss, in general terms:
 - a) The serious accident that occurred.
 - b) That all the necessary steps were taken to care for the person involved.
 - c) That an accident investigation is being performed.
 - d) That all employees will be kept informed.
 - e) The availability of the Employee Assistance Program (EAP).
 - f) Provide encouragement and request that employees work safely.
10. Request your supervisors be alert for employees who may not be paying full attention to their jobs and thereby jeopardizing their own safety. During these discussions, do not discuss fault, discipline, opinions, etc.
11. If your company has a physician on contract, have him/her follow the case.

Bloodborne Pathogens



Blood and other bodily fluids can carry pathogens, which are capable of causing diseases in others. This includes HIV, which leads to AIDS and hepatitis.

1. Because we cannot tell by looking at a person if they are infected with a pathogenic disease, we must take precautions following an illness or injury when bodily fluids are released.
2. In the event of a person losing bodily fluids, stay away from the area and warn others to also do so. You can still stay close to the ill/injured person to support him/her, just be sure to stay out of contact any bodily fluids.
3. In the event that you find spilled bodily fluids, a syringe, or other medically contaminated materials, do not attempt clean up by yourself. Call **the onsite nurse, HR Director, or Bob Detrick for instructions**.

Working Alone Policy:

Working alone will not be allowed in any of the following High risk activities:

- Working from heights
- Working in confined spaces
- Working in situations requiring Lockout/Tagout
- Working with electrical (beyond changing light bulbs)
- Working with hazardous substances or materials
- Working with material under high pressure
- Working where there is a possible/suspected threat of violence
- Working in isolation from first aid services or immediate/emergency service

Working Alone – Non Hazardous Tasks:

On some occasions, workers are introduced into a situation where they are working alone. The most common examples of this as it relates to administrative staff would be:

- Doing administrative work before or after normal working hours
- Facility cleaning after hours
- HQS or Auditor inspections - offsite

During such occasions, lone workers would be required to notify someone (a responsible person/supervisor) of the fact they are going to be working alone. They must be in close proximity to a land line, or in the case of auditors and inspectors, have a cell phones and cell service, so they can get help if needed. In no case is a worker allowed to be alone without having informed someone responsible as to their current status and situation. The lone worker should tell their responsible person: where they are now, or are going to be and when, how long they are going to be there, and when they expect to depart. In addition, the lone worker must notify the responsible person whenever the dynamic changes, for instance; when they are arriving or departing from a particular location, and when they have safely arrived home, or to a location where they are no longer alone and have reached a safe destination. The goal of the lone worker policy is to ensure lone workers are always accounted for and are in a safe environment.

Vehicle Use Policy

To: All drivers of Newcap

- This policy applies to:
 - Vehicles owned, leased, or rented to Newcap.
 - Personally owned vehicles driven by employees on behalf of Newcap.

The following policy has been established to encourage safe operation of vehicles, and to clarify insurance issues relating to drivers and Newcap.

- All drivers must have a valid driver's license.
- Motor Vehicle Records will be checked periodically. Driving privileges may be suspended or terminated if your record indicates an unacceptable number of accidents or violations. Should your record fall into our insurance carrier's guidelines of an, 'unacceptable driver,' our employment may be terminated.
- Your supervisor must be notified of any change in your license status or driving record.

When operating your own vehicle for Newcap business:

- Your Personal Auto Liability insurance is the primary payer. Newcap's insurance is in excess of your coverage.
- You should carry at least **\$100,000** per occurrence liability coverage. Evidence of insurance coverage is to be provided to either Newcap each year, by a copy of your policy's Declaration page or a Certificate of Insurance.
- NEWCAP is not responsible for any physical damage to your vehicle. You must carry your own collision and comprehensive coverage.
- Report your mileage for expense reimbursement.

In the event of an accident:

- Take necessary steps to protect the lives of yourself and others.
- Comply with police instructions.
- Do not assume or admit fault. Others will determine liability and negligence after thorough investigation.
- Report the accident to Newcap as soon as possible.

By signing this document you are agreeing that you have read and understood the Vehicle Use policy, and will comply.

Employee's Signature

Date

Employee's name - Print

Newcap is firmly committed to your safety. We will do everything possible to prevent workplace accidents and are committed to providing a safe working environment for you and all employees.

We value you not only as an employee but also as a human being critical to the success of your family, the local community, and Newcap.

You are encouraged to report any unsafe work practices or safety hazards encountered on the job. All accidents/incidents (no matter how slight) are to be immediately reported to the supervisor on duty.

A key factor in implementing this policy will be the strict compliance to all applicable federal, state, local, and NEWCAP policies and procedures. Failure to comply with these policies may result in disciplinary actions.

Respecting this, Newcap will make every reasonable effort to provide a safe and healthful workplace that is free from any recognized or known potential hazards. Additionally, Newcap subscribes to these principles:

1. All accidents are preventable through implementation of effective Safety and Health Control policies and programs.
2. Safety and Health controls are a major part of our work every day.
3. Accident prevention is good business. It minimizes human suffering, promotes better working conditions for everyone, holds Newcap in higher regard with customers, and increases productivity. This is why Newcap will comply with all safety and health regulations which apply to the course and scope of operations.
4. Management is responsible for providing the safest possible workplace for Employees. Consequently, management of Newcap is committed to allocating and providing all of the resources needed to promote and effectively implement this safety policy.
5. Employees are responsible for following safe work practices, company rules, and for preventing accidents and injuries. Management will establish lines of communication to solicit and receive comments, information, suggestions, and assistance from employees where safety and health are concerned.
6. Management and supervisors of Newcap will set an exemplary example with good attitudes and strong commitment to safety and health in the workplace. Toward this end, management must monitor the company's safety and health performance, working environment, and conditions to ensure that program objectives are achieved.
7. Our safety program applies to all employees and persons affected or associated in any way by the scope of this business. Everyone's goal must be to constantly improve safety awareness and to prevent accidents and injuries.

Everyone at Newcap must be involved and committed to safety. This must be a team effort. Together, we can prevent accidents and injuries and keep each other safe and healthy in the work that provides our livelihood.

By signing this document, I confirm the receipt of Newcap's employee safety handbook. I have read and understood all policies, programs, and actions as described, and agree to comply with these set policies.

Employee Signature

Date

Employee Name - Print

ANNUAL REVIEW AND REVISION

The Employee Safety Policy Manual for *Newcap* is to be reviewed annually for changes to the work procedures performed under this program, changes in OSHA standards pertaining to this program, or changes in equipment used or provided. All revisions to the program must be dated and initialed by the designated managers and directors responsible for administering this program.

Date of Annual Review:

11/16/20

By:

Bob D.

Date of Revision:

By:

ADDENDUM 2: Informal Hearing/Grievance Procedures



APPLICANT INFORMAL HEARING (Grievance Procedures)

An applicant who has completed a preliminary application for the short term housing program is entitled to an informal review if they have been denied from participation of one of the following:

- ❖ Participation in the program

A current program participant of the short term housing program is entitled to an Informal Hearing if they are unsatisfied with any of the following:

- ❖ Termination of assistance
- ❖ Eligible Immigration Status
- ❖ Non-compliance of program rules and regulations

Termination is expected to be limited to only the most severe cases. Programs will exercise judgment and examine all extenuating circumstances when determining if violations are serious enough to warrant termination.

PROCEDURES FOR FILING FOR AN INFORMAL HEARING

1. Notice of Denial/Termination

Newcap must provide a written copy of the notice of denial, provide the reasons and state that the participant has the right to request an informal hearing.

2. Request for Informal Review

Upon receipt of the notice, the applicant/participant must submit a written request **within 10 days** from the date of the letter. This procedure must also be stated in the notice of denial that is sent to applicant/participant.

3. Scheduling Informal Hearing

Once Newcap receives the written request (**within the 10-day period**), a review will be scheduled within 20 days. The applicant/participant will be notified in writing of the date and time of the review/hearing.

4. Results of Informal Hearing

The Hearing Officer (someone other than the person who made or approved the decision and their subordinates) must render their decision within 15 days and notify the applicant/participant in writing.

5. Failure to Request an Informal Hearing

If the applicant/participant does not request an Informal Hearing in writing within the specified time, the decision to deny/terminate the applicant/participant is final.

The purpose for an Informal Hearing is to consider whether the Housing staff members' decision(s) regarding the applicant/participant is in accordance with program rules and regulations.

Families may present oral or written objectives and dispute criminal records. Before the hearing, the family has the opportunity to examine the documents directly relevant to the hearing. Documents include records and regulations. The family may copy the documents at its own expense.

Signature of Household Adults and Date of Signature

Signature

Date

ADDENDUM 3: Resident Rights Statement

RESIDENT RIGHTS STATEMENT

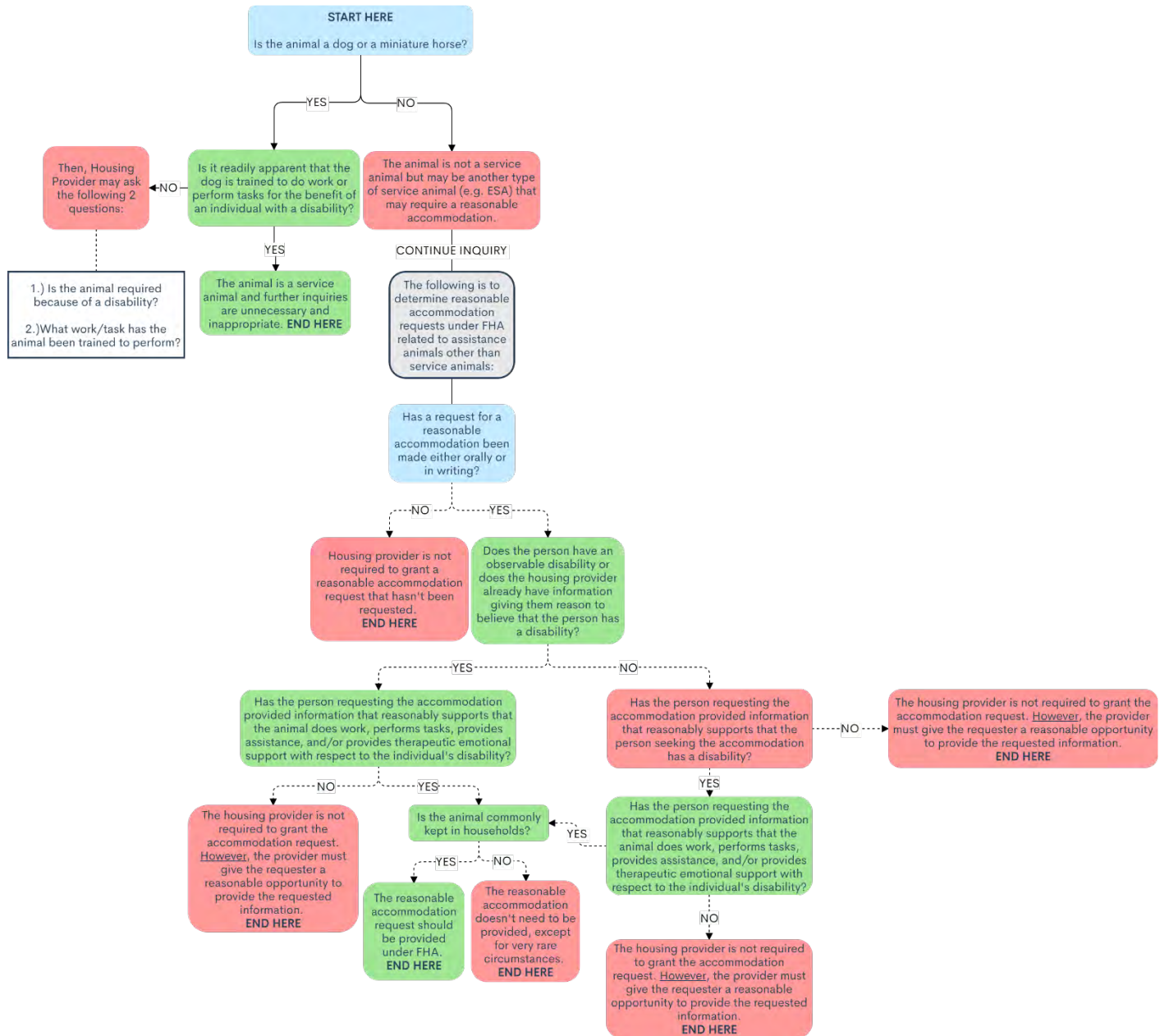
1. I have voluntarily chosen to receive services from Newcap
2. I understand that I may terminate my stay at any time
3. I understand that there is no assurance that my situation will improve. Case Management is encouraged and is a cooperative effort between me and my Case Manager. I will work with my Case Manager in a cooperative manner to resolve my homelessness
4. I understand that during the course of my stay, material may be discussed which will be upsetting in nature and that this may be necessary to help me resolve my problems
5. I understand that records and information collected about me will be held or released in accordance with state laws regarding confidentiality of such records and information
6. I understand that the state and local laws require my Case Manager to report all cases in which there exists a danger to self or others
7. I understand that there may be other circumstances in which the law requires my Case Manager to disclose confidential information
8. I have read and had explained to me the basic rights of individuals who receive services from Newcap. These rights include:
 - a. To be informed of the various steps and activities involved in receiving social services
 - b. To confidentiality under federal and state laws relating to the receipt of social services
 - c. To humane care and protection from harm, abuse, or neglect
 - d. To make an informed decision whether to accept or refuse social services
 - e. To contact and consult with counsel at my expense

I understand that Newcap staff and other coordinating agencies may exchange any and all information pertaining to my plan, to the extent such disclosure is necessary for case management, coordination of treatment, quality assurance or utilization review purposes. I understand that I can revoke my consent at any time except to the extent that services have already been received, or the action has been taken in reliance on this consent. If I do not revoke this consent, it will expire automatically in one year.

I have read or been read to, and understand the above.

Resident Signature _____ Date: ____/____/____

ADDENDUM 4: Service/Support Animal Flowchart



ADDENDUM 5: FHEO-2020-01



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

OFFICE OF FAIR HOUSING AND EQUAL
OPPORTUNITY

SPECIAL ATTENTION OF:

HUD Regional and Field Office Directors of
Public and Indian Housing (PIH); Housing;
Community Planning and Development
and Equal Opportunity; Superseded, or Rescinded.
and Regional Counsel; CPD, PIH, and
Housing Program Providers

FHEO Notice: **FHEO-2020-01**

Issued: January 28, 2020

Expires: Effective until Amended, (CPD); Fair Housing

Subject: Assessing a Person's Request to Have an Animal as a Reasonable Accommodation
Under the Fair Housing Act

1. **Purpose:** This notice explains certain obligations of housing providers under the Fair Housing Act (FHA) with respect to animals that individuals with disabilities may request as reasonable accommodations. There are two types of assistance animals: (1) service animals, and (2) other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a "support animal"). Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the FHA. This guidance provides housing providers with a set of best practices for complying with the FHA when assessing requests for reasonable accommodations to keep animals in housing, including the information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. This guidance replaces HUD's prior guidance, FHEO-2013-01, on housing providers' obligations regarding service animals and assistance animals. In particular, this guidance provides a set of best practices regarding the type and amount of documentation a housing provider may ask an individual with a disability to provide in support of an accommodation request for a support animal, including documentation of a disability (that is, physical or mental

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impairments that substantially limit at least one major life activity) or a disability-related need for a support animal when the disability or disability-related need for the animal is non-obvious and not known to the housing provider. By providing greater clarity through this guidance, HUD seeks to provide housing providers with a tool they may use to reduce burdens that they may face when they are uncertain about the type and amount of documentation they may need and may be permitted to request when an individual seeks to keep a support animal in housing. Housing providers may be subject to the requirements of several civil rights laws, including but not limited to the FHA, Section 504 of the Rehabilitation Act (Section 504), and the Americans with Disabilities Act (ADA). This guidance does not address how HUD will process complaints against housing providers under Section 504 or the ADA.

www.hud.gov

espanol.hud.gov

2. **Applicability:** This notice applies to all housing providers covered by the FHA.¹
3. **Organization:** There are two sections to this notice. The first, “Assessing a Person’s Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act,” recommends a set of best practices for complying with the FHA when assessing accommodation requests involving animals to assist housing providers and help them avoid violations of the FHA. The second section to this notice, “Guidance on Documenting an Individual’s Need for Assistance Animals in Housing,” provides guidance on information that an individual seeking a reasonable accommodation for an assistance animal may need to provide to a housing provider about his or her disability-related need for the requested accommodation, including supporting information from a health care professional.

Questions regarding this notice may be directed to the HUD Office of Fair Housing and Equal Opportunity, Office of the Deputy Assistant Secretary for Enforcement and Programs, or your local HUD Office of Fair Housing and Equal Opportunity.

Anna María Farías, Assistant Secretary for
Fair Housing and Equal Opportunity

¹ The Fair Housing Act covers virtually all types of housing, including privately owned housing and federally assisted housing, with a few limited exceptions.

Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act²

The Fair Housing Act (FHA) makes it unlawful for a housing provider³ to refuse to make a reasonable accommodation that a person with a disability may need in order to have equal opportunity to enjoy and use a dwelling.⁴ One common request housing providers receive is for a reasonable accommodation to providers' pet or no animal policies so that individuals with disabilities are permitted to use assistance animals in housing,⁵ including public and common use areas.

Assistance animals are not pets. They are animals that do work, perform tasks, assist, and/or provide therapeutic emotional support for individuals with disabilities.⁶ There are two types of assistance animals: (1) service animals, and (2) other animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a "support animal").⁷ An animal that does not qualify as a service animal or other type of assistance animal is a pet for purposes of the FHA and may be treated as a pet for purposes of the lease and the housing provider's rules and policies. A housing provider may exclude or charge a fee or deposit for pets in its discretion and subject to local law but not for service animals or other assistance animals.⁸

² This document is an integral part of U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity Notice FHEO-2020-01, dated January 28, 2020 (sometimes referred to as the "Assistance Animal Notice").

³ The term "housing provider" refers to any person or entity engaging in conduct covered by the FHA. Courts have applied the FHA to individuals, corporations, partnerships, associations, property owners, housing managers, homeowners and condominium associations, cooperatives, lenders, insurers, real estate agents, brokerage services, state and local governments, colleges and universities, as well as others involved in the provision of housing, residential lending, and other real estate-related services.

⁴ 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204. Unless otherwise specified, all citations refer to those authorities effective as of the date of the publication of this guidance.

⁵ For purposes of this guidance, the term "housing" refers to all housing covered by the Fair Housing Act, including apartments, condominiums, cooperatives, single family homes, nursing homes, assisted living facilities, group homes, domestic violence shelters, emergency shelters, homeless shelters, dormitories, and other types of housing covered by the FHA.

⁶ See 24 C.F.R. § 5.303(a).

⁷ Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. See 24 C.F.R. § 100.201.

⁸ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act (“Joint Statement”), Q and A 11 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>; *Fair Hous. of the*

Dakotas, Inc. v. Goldmark Prop. Mgmt., 778 F. Supp. 2d 1028 (D.N.D. 2011). HUD views the Joint Statement as well-reasoned guidance on some of the topics addressed in this guidance. The Joint Statement, available to the public since 2004, has been cited from time to time by courts. See,

e.g., *Bhogaita v. Altamonte Heights Condo. Ass’n*, 765 F.3d 1277, 1286 (11th Cir. 2014); *Sinisgallo As of the date of the issuance of this guidance, FHA complaints concerning denial of reasonable accommodations and disability access comprise almost 60% of all FHA complaints and those involving requests for reasonable accommodations for assistance animals are significantly increasing. In fact, such complaints are one of the most common types of fair housing complaints that HUD receives. In addition, most HUD charges of discrimination against a housing provider following a full investigation involve the denial of a reasonable accommodation to a person who has a physical or mental disability that the housing provider cannot readily observe.*²

HUD is providing this guidance to help housing providers distinguish between a person with a nonobvious disability who has a legitimate need for an assistance animal and a person without a disability who simply wants to have a pet or avoid the costs and limitations imposed by housing providers’ pet policies, such as pet fees or deposits. The guidance may also help persons with a disability who request a reasonable accommodation to use an assistance animal in housing.

While most requests for reasonable accommodations involve one animal, requests sometimes involve more than one animal (for example, a person has a disability-related need for both animals, or two people living together each have a disability-related need for a separate assistance animal). The decision-making process in this guidance can be used for all requests for exceptions or modifications to housing providers’ rules, policies, practices, and/or procedures so persons with disabilities can have assistance animals in the housing where they reside.

This guidance is provided as a tool for housing providers and persons with a disability to use at their discretion and provides a set of best practices for addressing requests for reasonable accommodations to keep animals in housing where individuals with disabilities reside or seek to reside. It should be read together with HUD’s regulations prohibiting discrimination under the FHA¹⁰ —with which housing providers must comply— and the HUD/Department of Justice (DOJ) Joint Statement on Reasonable Accommodation under the Fair Housing Act, available at <https://www.hud.gov/sites/documents/huddojstatement.pdf>. A housing provider may also be

² See, *e.g.*, *HUD v. Castillo Condominium Ass’n*, No. 12-M-034-FH-9, 2014 HUD ALJ LEXIS 2 (HUD Sec’y, October 02, 2014) *aff’d*, 821 F.3d 92 (1st Cir. 2016); *HUD v. Riverbay*, No. 11-F052-FH-18, 2012 HUD ALJ LEXIS 15 (HUD ALJ, May 07, 2012), *aff’d*, 2012 ALJ LEXIS 19 (HUD Sec’y June 06, 2012). ¹⁰ 24 C.F.R. Part 100.

subject to the Americans with Disabilities Act (ADA) and therefore should also refer to DOJ's regulations implementing Title II and Title III of the ADA at 28 C.F.R. parts 35 and 36 , and DOJ's guidance on service animals, *Frequently Asked Questions about Service Animals and the ADA* at https://www.ada.gov/regs2010/service_animal_qa.html and *ADA Requirements: Service Animals* at https://www.ada.gov/service_animals_2010.htm. This guidance replaces HUD's prior guidance on housing providers' obligations regarding service animals and assistance animals.³

Housing

v. Town of Islip Hous. Auth., 865 F. Supp. 2d 307, 336-42 (E.D.N.Y. 2012). However, HUD does not intend to imply that the Joint Statement is independently binding statutory or regulatory authority. HUD understands it to be subject to applicable limitations on the use of guidance. See

"Treatment as a Guidance Document" on p.5 for a citation of authorities on permissible use of guidance.

providers should not reassess requests for reasonable accommodations that were granted prior to the issuance of this guidance in compliance with the FHA.

Treatment as a Guidance Document

As a guidance document, this document does not expand or alter housing providers' obligations under the Fair Housing Act or HUD's implementing regulations. It should be construed consistently with Executive Order 13891 of October 9, 2019 entitled "Promoting the Rule of Law Through

Improved Agency Guidance Documents," Executive Order 13892 of October 9, 2019 entitled "Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication," the Office of Management and Budget Memorandum M-20-02 entitled "Guidance Implementing Executive Order 13891, Titled 'Promoting the Rule of Law Through Improved Agency Guidance Documents,'" the Department of Justice Memorandum of January 25, 2018 entitled "Limiting Use of Agency Guidance Documents in Affirmative Civil Enforcement Cases," and the Department of Justice Memorandum of November 16, 2017 entitled "Prohibition on Improper Guidance Documents."

Part I: Service Animals

The FHA requires housing providers to modify or make exceptions to policies governing animals when it may be necessary to permit persons with disabilities to utilize animals.¹² Because HUD

³ FHEO-2013-01.

interprets the FHA to require access for individuals who use service animals, housing providers should initially follow the analysis that DOJ has determined is used for assessing whether an animal is a service animal under the ADA.¹³ The Department of Justice's ADA regulations generally require state and local governments and public accommodations to permit the use of service animals by an individual with a disability.¹⁴ For support animals and other assistance animals that may be necessary in housing, although the ADA does not provide for access, housing providers must comply with the FHA, which does provide for access.¹⁵

¹² 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204. See also Pet Ownership for the Elderly and Persons with Disabilities – Final Rule, 73 Fed. Reg. 63833 (Oct. 27, 2008).

¹³ 24 C.F.R. § 100.204(b).

¹⁴ 28 C.F.R. §§ 35.136(g); 36.302(c)(7).

¹⁵ Specifically, under the Fair Housing Act, housing providers are obligated to permit, as a reasonable accommodation, the use of animals that work, provide assistance, or perform tasks that benefit persons with disabilities, or provide emotional support to alleviate a symptom of effect of a disability. Separate regulations govern airlines and other common carriers, which are outside the scope of this guidance.

What is a service animal?

Under the ADA, "*service animal* means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability."¹⁶

As a best practice, housing providers may use the following questions to help them determine if an animal is a service animal under the ADA:¹⁷

1. Is the animal a dog?

- If “yes,” proceed to the next question.
- If “no,” the animal is not a service animal but may be another type of assistance animal for which a reasonable accommodation is needed.¹⁸ Proceed to Part II below.

2. Is it readily apparent that the dog is trained to do work or perform tasks for the benefit of an individual with a disability?

- If “yes,” further inquiries are unnecessary and inappropriate because the animal is a service animal.¹⁹
- If “no,” proceed to the next question.

It is *readily apparent* when the dog is observed:

- guiding an individual who is blind or has low vision
- pulling a wheelchair
- providing assistance with stability or balance to an individual with an observable mobility disability²⁰

3. It is advisable for the housing provider to limit its inquiries to the following two questions:

- The housing provider may ask in substance: (1) “Is the animal required because of a

¹⁶ 28 C.F.R. §§ 35.104; 36.104 (emphasis added).

¹⁷ 28 C.F.R. §§ 35.136; 36.302(c).

¹⁸ Although a miniature horse is not a service animal, DOJ has determined that the same type of analysis is applied to determine whether a miniature horse should be provided access, although additional considerations, beyond the scope of this guidance, apply. *See* 28 C.F.R. §§ 35.136(i); 36.302(c)(9).

¹⁹ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

²⁰ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

disability?” and (2) “What work or task has the animal been trained to perform?”²¹ Do not ask about the nature or extent of the person’s disability, and do not ask for documentation. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.

- If the answer to question (1) is “yes” and work or a task is identified in response to question (2), grant the requested accommodation, if otherwise reasonable, because the animal qualifies as a service animal.
- If the answer to either question is “no” or “none,” the animal does not qualify as a service animal under federal law but may be a support animal or other type of assistance animal that needs to be accommodated. HUD offers guidance to housing providers on this in Part II.

Performing “work or tasks” means that the dog is trained to take a specific action when needed to assist the person with a disability. ○ If the individual identifies at least one action the dog is trained to take which is helpful to the disability other than emotional support, the dog should be considered a service animal and permitted in housing, including public and common use areas. Housing providers should not make further inquiries.

- If no specific work or task is identified, the dog should not be considered a service animal but may be another type of animal for which a reasonable accommodation may be required. Emotional support, comfort, well-being, and companionship are not a specific work or task for purposes of analysis under the ADA.

For more information, refer to the ADA rules and service animal guidance on DOJ’s ADA Home Page at www.ada.gov²² or call the ADA Information Line at 1-800-514-0301.

Part II: Analysis of reasonable accommodation requests under the Fair Housing Act for assistance animals other than service animals

A **reasonable accommodation** is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling, including public and common use spaces.

Remember: While it is not necessary to submit a written request or to use the words “reasonable accommodation,” “assistance animal,” or any other special words to request a reasonable accommodation under the FHA, persons making a request are encouraged to do so in order to avoid

²¹ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

²² See *Frequently Asked Questions About Service Animals and the ADA* at https://www.ada.gov/regs2010/service_animal_qa.html; *ADA Requirements: Service Animals* at https://www.ada.gov/service_animals_2010.htm.

miscommunication.⁴ Persons with disabilities may also want to keep a copy of their reasonable accommodation requests and supporting documentation in case there is a later dispute about when or whether a reasonable accommodation request was made. Likewise, housing providers may find it helpful to have a consistently maintained list of reasonable accommodation requests.²⁴

A resident may request a reasonable accommodation either before or after acquiring the assistance animal.²⁵ An accommodation also may be requested after a housing provider seeks to terminate the resident's lease or tenancy because of the animal's presence, although such timing may create an inference against good faith on the part of the person seeking a reasonable accommodation. However, under the FHA, a person with a disability may make a reasonable accommodation request at any time, and the housing provider must consider the reasonable accommodation request even if the resident made the request after bringing the animal into the housing.⁵

As a best practice, housing providers may use the following questions to help them make a decision when the animal does not meet the definition of service animal.⁶

4. Has the individual requested a reasonable accommodation — that is, asked to get or keep an animal in connection with a physical or mental impairment or disability?

Note: The request for a reasonable accommodation with respect to an assistance animal may be oral or written. It may be made by others on behalf of the individual, including a person legally residing in the unit with the requesting individual or a legal guardian or authorized

⁴ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.
²⁴ See Joint Statement, Q and A 13 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.
²⁵ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁵ See 24 C.F.R. § 100.204(a).

⁶ See *Janush v. Charities Hous. Dev. Corp.*, 169 F.Supp.2d 1133, 1136-37 (N.D. Cal., 2000) (rejecting an argument that a definition of “service dog” should be read into the Fair Housing Act to create a rule that accommodation of animals other than service dogs is per se unreasonable, instead finding that “the law imposes on defendants the obligation to consider each request individually and to grant requests that are reasonable.”).

representative.⁷

- If “yes,” proceed to Part III.
- If “no,” the housing provider is not required to grant a reasonable accommodation that has not been requested.

Part III: Criteria for assessing whether to grant the requested accommodation

As a best practice, housing providers may use the following questions to help them assess whether

to grant the requested accommodation.

5. Does the person have an observable disability or does the housing provider (or agent making the determination for the housing provider) already have information giving them reason to believe that the person has a disability?
 - If “yes,” skip to question #7 to determine if there is a connection between the person’s disability and the animal.
 - If “no,” continue to the next question.

Observable and Non-Observable Disabilities

Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. While some impairments may seem invisible, others can be readily observed. Observable impairments include blindness or low vision, deafness or being hard of hearing, mobility limitations, and other types of impairments with observable symptoms or effects, such as intellectual impairments (including some types of autism), neurological impairments (*e.g.*, stroke, Parkinson’s disease, cerebral palsy, epilepsy, or brain injury), mental illness, or other diseases or conditions that affect major life activities or bodily functions.⁸ Observable impairments generally tend to be obvious and would not be

⁷ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁸ See 24 C.F.R. § 100.201.
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reasonably attributable to non-medical causes by a lay person.

Certain impairments, however, especially including impairments that may form the basis for a request for an emotional support animal, may not be observable. In those instances, a housing provider may request information regarding both the disability and the disability-related need for the animal. Housing providers are not entitled to know an individual's diagnosis.

6. Has the person requesting the accommodation provided information that reasonably supports that the person seeking the accommodation has a disability?⁹

- If “yes,” proceed to question #7. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.
- If “no,” the housing provider is not required to grant the accommodation unless this information is provided but may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so.¹⁰ To assist the person requesting the

accommodation to understand what information the housing provider is seeking, the housing provider is encouraged to direct the requester to the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. Referring the requester to that Guidance will also help ensure that the housing provider receives the disability-related information that is actually needed to make a reasonable accommodation decision.

Information About Disability May Include . . .

- A determination of disability from a federal, state, or local government agency.
- Receipt of disability benefits or services (Social Security Disability Income (SSDI)), Medicare or Supplemental Security Income (SSI) for a person under age 65, veterans'

⁹ See Joint Statement, Q and A 17 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹⁰ This would not permit the housing provider to require any independent evaluation or diagnosis specifically obtained for the housing provider or for the housing provider to engage in its own direct

disability benefits, services from a vocational rehabilitation agency, or disability benefits or services from another federal, state, or local agency.

- Eligibility for housing assistance or a housing voucher received because of disability.
- Information confirming disability from a health care professional – *e.g.*, physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse.

Note that a determination that an individual does not qualify as having a disability for purposes of a benefit or other program does not necessarily mean the individual does not have a disability for purposes of the FHA, Section 504, or the ADA.³²

Disability Determination

Note that under DOJ's regulations implementing the ADA Amendments Act of 2008, which HUD considers instructive when determining whether a person has a disability under the FHA, some types of impairments will, in virtually all cases, be found to impose a substantial limitation on a major life activity resulting in a determination of a disability.¹¹ Examples include deafness, blindness, intellectual disabilities, partially or completely missing limbs or mobility impairments requiring the use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, muscular dystrophy, multiple sclerosis, Human Immunodeficiency Virus (HIV) infection, major depressive disorder, bipolar disorder, post-traumatic stress disorder, traumatic brain injury, obsessive compulsive disorder, and schizophrenia.¹² This does not mean that other conditions are not disabilities. It simply means that in virtually all cases these conditions will be covered as disabilities. While housing providers will be unable to observe or identify some of these impairments, individuals with disabilities sometimes voluntarily provide more details about their disability than the housing provider actually needs to make decisions on accommodation requests. When this information is provided, housing providers should consider it.

evaluation. See Joint Statement, Q and A 17-18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.³²

See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹¹ See 28 C.F.R. §§ 35.108(d)(2); 36.105(d)(2).

¹² See 28 C.F.R. §§ 35.108(d)(2)(iii); 36.105(d)(2)(iii).

Documentation from the Internet

Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known.¹³ In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.

By contrast, many legitimate, licensed health care professionals deliver services remotely, including over the internet. One reliable form of documentation is a note from a person's health care professional that confirms a person's disability and/or need for an animal when the provider has personal knowledge of the individual.

7. Has the person requesting the accommodation provided information which reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual's disability?¹⁴
- If "yes," proceed to Part IV. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.
 - If "no," the housing provider is not required to grant the accommodation unless this information is provided but may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so. To assist the person requesting the accommodation to understand what information the housing provider is seeking, the housing provider is encouraged to direct the requester to the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. Referring the requester to that Guidance will also help ensure that the housing provider receives the

¹³ See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹⁴ See *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011) (determining that, in housing, a broader variety of assistance animals may be necessary as a reasonable accommodation, regardless of specific training).

disability-related information that is actually needed to make a reasonable accommodation decision.

Information Confirming Disability-Related Need for an Assistance Animal. . .

- Reasonably supporting information often consists of information from a licensed health care professional – *e.g.*, physician, optometrist, psychiatrist, psychologist, physician’s assistant, nurse practitioner, or nurse – general to the condition but specific as to the individual with a disability and the assistance or therapeutic emotional support provided by the animal.
- A relationship or connection between the disability and the need for the assistance animal must be provided. This is particularly the case where the disability is non-observable, and/or the animal provides therapeutic emotional support.
- For non-observable disabilities and animals that provide therapeutic emotional support, a housing provider may ask for information that is consistent with that identified in the Guidance on Documenting an Individual’s Need for Assistance Animals in Housing (*see Questions 6 and 7) in order to conduct an individualized assessment of whether it must provide the accommodation under the Fair Housing Act. The lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation.

Part IV: Type of Animal

8. Is the animal commonly kept in households?

- If “yes,” the reasonable accommodation should be provided under the FHA unless the general exceptions described below exist.¹⁵

¹⁵ See, *e.g.*, *Majors v. Hous. Auth. of the Cnty. of DeKalb Georgia*, 652 F.2d 454, 457 (5th Cir. 1981) (enforcing a “no pets” rule against an individual with a disability who needs an animal as a reasonable accommodation effectively deprives the individual of the benefits of the housing).³⁸ See 24 C.F.R. § 100.204(a).

- If “no,” a reasonable accommodation need not be provided, but note the very rare circumstances described below.

Animals commonly kept in households. If the animal is a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, then the reasonable accommodation should be granted because the requestor has provided information confirming that there is a disability-related need for the animal.³⁸ For purposes of this assessment, reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

Unique animals. If the individual is requesting to keep a unique type of animal that is not commonly kept in households as described above, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal. The individual is encouraged to submit documentation from a health care professional confirming the need for this animal, which includes information of the type set out in the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. While this guidance

does not establish any type of new documentary threshold, the lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation. If the housing provider enforces a “no pets” policy or a policy prohibiting the type of animal the individual seeks to have, the housing provider may take reasonable steps to enforce the policy if the requester obtains the animal before submitting reliable documentation from a health care provider that reasonably supports the requestor's disability-related need for the animal. As a best practice, the housing provider should make a determination promptly, generally within 10 days of receiving documentation.¹⁶

¹⁶ See Joint Statement, Q and A 15 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.
Policy & Procedure Manual

Reasonable accommodations may be necessary when the need for a unique animal involves unique circumstances ...

Examples:

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - Allergies prevent the person from using a dog; or
 - Without the animal, the symptoms or effects of the person's disability will be significantly increased.
- The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.

Example: A Unique Type of Support Animal

An individually trained capuchin monkey performs tasks for a person with paralysis caused by a spinal cord injury. The monkey has been trained to retrieve a bottle of water from the refrigerator, unscrew the cap, insert a straw, and place the bottle in a holder so the individual can get a drink of water. The monkey is also trained to switch lights on and off and retrieve requested items from inside cabinets. The individual has a disability-related need for this specific type of animal because the monkey can use its hands to perform manual tasks that a service dog cannot perform.

Part V: General Considerations

- The FHA does not require a dwelling to be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.¹⁷ A housing provider may, therefore, refuse a reasonable accommodation for an assistance animal if the specific animal poses a direct threat that cannot be eliminated or reduced to an acceptable level through actions the individual takes to maintain or control the animal (e.g., keeping the

¹⁷ See 24 C.F.R. § 100.202(d).
Policy & Procedure Manual

animal in a secure enclosure).¹⁸

- A reasonable accommodation may include a reasonable accommodation to a land use and zoning law, Homeowners Association (HOA) rule, or co-op rule.¹⁹
- A housing provider may not charge a fee for processing a reasonable accommodation request.²⁰
- Pet rules do not apply to service animals and support animals. Thus, housing providers may not limit the breed or size of a dog used as a service animal or support animal just because of the size or breed²¹ but can, as noted, limit based on specific issues with the animal's conduct because it poses a direct threat or a fundamental alteration.²²
- A housing provider may not charge a deposit, fee, or surcharge for an assistance animal. A housing provider, however, may charge a tenant for damage an assistance animal causes if it is the provider's usual practice to charge for damage caused by tenants (or deduct it from the standard security deposits imposed on all tenants).
- A person with a disability is responsible for feeding, maintaining, providing veterinary care, and controlling his or her assistance animal. The individual may do this on his or her own or with the assistance of family, friends, volunteers, or service providers.
- Individuals with disabilities and housing providers may reference the best practices provided in this guidance in making and responding to reasonable accommodation requests within the scope of this guidance for as long as it remains in effect. HUD strongly encourages individuals with disabilities and housing providers to give careful attention to this guidance when making reasonable accommodation requests and decisions relating to animals.
- Failure to adhere to this guidance does not necessarily constitute a violation by housing providers of the FHA or regulations promulgated thereunder.²³
- Before denying a reasonable accommodation request due to lack of information confirming an individual's disability or disability-related need for an animal, the housing provider is encouraged to engage in a good-faith dialogue with the requestor called the

¹⁸ See Joint Statement Q and A 4 (May 17, 2004), at

<https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹⁹ See *Warren v. Delvista Towers Condo. Ass'n*, 49 F. Supp. 3d 1082 (S.D. Fla. 2014).

²⁰ See Joint Statement, Q and A 11 (May 17, 2004), at

<https://www.hud.gov/sites/documents/huddojstatement.pdf>; *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011).

²¹ See, e.g., *Bhogaita v. Altamonte Heights Condo. Ass'n*, 765 F.3d 1277 (11th Cir. 2014) (reasonable accommodation to a housing provider's rule that all dogs must be under 25 pounds).

²² See 24 C.F.R. § 100.202(d); Joint Statement, Q and A's 5 & 7 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²³ See "Treatment as a Guidance Document" on p.5 for a citation of authorities on permissible use of guidance.

“interactive process.”²⁴ The housing provider may not insist on specific types of evidence if the information which is provided or actually known to the housing provider meets the requirements of this guidance (except as provided above). Disclosure of details about the diagnosis or severity of a disability or medical records or a medical examination cannot be required.

If a reasonable accommodation request, provided under the framework of this guidance, is denied because it would impose a fundamental alteration to the nature of the provider's operations or impose an undue financial and administrative burden, the housing provider should engage in the interactive process to discuss whether an alternative accommodation may be effective in meeting the individual's disability-related needs.²⁵

Guidance on Documenting an Individual's Need for Assistance Animals in Housing

This section provides best practices for documenting an individual's need for assistance animals in housing. It offers a summary of information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. It is intended to help individuals with disabilities explain to their health care professionals the type of information that housing providers may need to help them make sometimes difficult legal decisions under fair housing laws. It also will help an individual with a disability and their health care provider understand what information may be needed to support an accommodation request when the disability or disability-related need for an accommodation is not readily observable or known by the housing provider. Housing providers may not require a health care professional to use a specific form (including this document), to provide notarized statements, to make statements under penalty of perjury, or to provide an individual's diagnosis or other detailed information about a person's physical or mental impairments.²⁶ Housing providers and

²⁴ See Joint Statement, Q and A 7 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁵ For guidance on what constitutes a fundamental alteration or an undue financial and administrative burden, refer to the HUD/DOJ Joint Statement on Reasonable Accommodation under the Fair Housing Act, available at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁶ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act (“Joint Statement”), Q and A’s 13, 16-18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.⁵⁰ This guidance does not expand on the obligations under the FHA or HUD’s regulations and should be construed consistently with Executive Order 13891 of October 9, 2019 entitled “Promoting the Rule of Law Through Improved Agency Guidance Documents,” Executive Order 13892 of October 9, 2019 entitled “Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication,” the Department of Justice Memorandum of January 25, 2018 entitled “Limiting Use of Agency Guidance Documents in Affirmative Civil Policy & Procedure Manual

the U.S. Department of Housing and Urban Development rely on professionals to provide accurate information to the best of their personal knowledge, consistent with their professional obligations. This document only provides assistance on the type of information that may be needed under the Fair Housing Act (FHA). The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Further, this document does not create any obligation to provide health-care information and does not authorize or solicit the collection of any information not otherwise permitted by the FHA.⁵⁰

The Appendix to this Guide answers some commonly asked questions about terms and issues below. An understanding of the terms and issues is helpful to providing this information.

When providing this information, health care professionals should use personal knowledge of their patient/client – *i.e.*, the knowledge used to diagnose, advise, counsel, treat, or provide health care or other disability-related services to their patient/client. **Information relating to an individual’s disability and health conditions must be kept confidential and cannot be shared with other**

persons unless the information is needed for evaluating whether to grant or deny a reasonable accommodation request or unless disclosure is required by law.⁵¹

As a best practice, documentation contemplated in certain circumstances by the Assistance Animals Guidance is recommended to include the following general information:

- The patient’s name,
- Whether the health care professional has a professional relationship with that patient/client involving the provision of health care or disability-related services, and
- The type of animal(s) for which the reasonable accommodation is sought (*i.e.*, dog, cat, bird, rabbit, hamster, gerbil, other rodent, fish, turtle, other specified type of domesticated animal, or other specified unique animal).⁵²

Disability-related information. A disability for purposes of fair housing laws exists when a person

Enforcement Cases,” and the Department of Justice Memorandum of November 16, 2017 entitled “Prohibition on Improper Guidance Documents.”
Policy & Procedure Manual

has a physical or mental impairment that substantially limits one or more major life activities.⁵³ Addiction caused by current, illegal use of a controlled substance does not qualify as a disability.⁵⁴ As a best practice, it is recommended that individuals seeking reasonable accommodations for support animals ask health care professionals to provide information related to the following:

- Whether the patient has a physical or mental impairment,
- Whether the patient's impairment(s) substantially limit at least one major life activity or major bodily function, and
- Whether the patient needs the animal(s) (because it does work, provides assistance, or performs at least one task that benefits the patient because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability of the patient/client, and not merely as a pet).

Additionally, if the animal is not a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, it may be helpful for patients to ask health care professionals to provide the following additional information:

- The date of the last consultation with the patient,
- Any unique circumstances justifying the patient's need for the particular animal (if already owned or identified by the individual) or particular type of animal(s), and
- Whether the health care professional has reliable information about this specific animal or

⁵¹ See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁵² See, e.g., *Janush v. Charities Housing Development Corporation*, 169 F.Supp.2d 1133, 1136-37 (N.D. Cal. 2000) (rejecting an argument that a definition of "service dog" should be read into the Fair Housing Act to create a rule that accommodation of animals other than service dogs is per se unreasonable, finding that "the law imposes on defendants the obligation to consider each request individually and to grant requests that are reasonable.").

⁵³ 24 C.F.R. § 100.201.

⁵⁴ 24 C.F.R. § 100.201.

whether they specifically recommended this type of animal.

It is also recommended that the health care professional sign and date any documentation provided and provide contact information and any professional licensing information.

Appendix

What are assistance animals?

Assistance animals do work, perform tasks, provide assistance, or provide emotional support for a person with a physical or mental impairment that substantially limits at least one major life activity or bodily function.²⁷

What are physical or mental impairments?

Physical or mental impairments include: any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability; or

Diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.²⁸

What are major life activities or major bodily functions?

They are: seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, and working.²⁹

Other impairments – based on specific facts in individual cases -- may also substantially limit at least one major life activity or bodily function.³⁰

What are Some Examples of Work, Tasks, Assistance, and Emotional Support?

Some examples of work and tasks that are commonly performed by service dogs include³¹:

²⁷ See 24 C.F.R. §§ 5.303; 960.705.

²⁸ See 24 C.F.R. § 100.201.

²⁹ See 24 C.F.R. § 100.201(b).

³⁰ See 24 C.F.R. § 100.201.

³¹ See 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Providing non-violent protection or rescue work,
- Pulling a wheelchair,
- Alerting a person with epilepsy to an upcoming seizure and assisting the individual during the seizure,
- Alerting individuals to the presence of allergens,
- Retrieving the telephone or summoning emergency assistance, or
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities.

Some other examples of work, tasks or other types of assistance provided by animals include:³²

- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors,
- Reminding a person with mental illness to take prescribed medication,
- Alerting a person with diabetes when blood sugar is high or low,
- Taking an action to calm a person with post-traumatic stress disorder (PTSD) during an anxiety attack,
- Assisting the person in dealing with disability-related stress or pain,
- Assisting a person with mental illness to leave the isolation of home or to interact with others,
- Enabling a person to deal with the symptoms or effects of major depression by providing a reason to live, or
- Providing emotional support that alleviates at least one identified symptom or effect of a physical or mental impairment.

What are examples of a patient's need for a unique animal or unique circumstances?³³

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - o Allergies prevent the person from using a dog, or

³² See, e.g., *Majors v. Housing Authority of the County of DeKalb Georgia*, 652 F.2d 454, 457 (5th Cir. 1981); *Janush*, 169 F.Supp.2d at 1136-37.

³³ See, e.g., *Anderson v. City of Blue Ash*, 798 F.3d 338, 360-63 (6th Cir. 2015) (seeking a reasonable accommodation to keep a miniature horse as an assistance animal).

- o Without the animal, the symptoms or effects of the person's disability will be significantly increased.
 - The individual seeks a reasonable accommodation to a land use and zoning law, Homeowners Association (HOA) rule, or condominium or co-op rule.
 - The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.
-

ADDENDUM 6: Neighborhood Contact Form

Prepared for: Newcap
Bob Detrick
VP Construction and Safety
1201 Main Street
Oconto, WI 54153

315 South Jefferson – Feasibility Narrative

August 2nd, 2021

Project Introduction

This narrative will focus on the project feasibility of the renovation and re-purposing proposal for property at 315 South Jefferson.

Newcap, (Northeast Wisconsin Community Action Program) is a regional non-profit organization rooted in an anti-poverty mission and founded in 1973. The organization runs 36 programs dealing with crisis, providing stability, setting up success, and improving the community. Newcap owns and operates units of housing throughout a 10 county area, and provides responsible, community minded housing options for people of various specialized needs throughout the region.

The **315 South Jefferson** property contains a building originally built in 1907 as a stately, Victorian style, single family residence. The three story facility contains approximately 4,761 sf of occupied space above ground. Most recently, the building has been utilized as a commercial office as its centralized location near the seat of County and City offices and the County Court House has made it an attractive location for a number of businesses over the years.

Newcap is proposing that the **315 South Jefferson** property be converted into a family shelter, catering to those in transition or facing crisis.

City of Green Bay Conditional Use Permit Process (CUP)

The project is located in what is classified as an OR mixed-use zone. As the proposed use by Newcap is considered a congregate living use (per Sec.44-1581 of the Green Bay Municipal Code), it falls outside the allowable uses of the OR zoning allowance this district. It does fall into a conditional use category. The conditional use category requires a review and approval process by the City of Green Bay, prior to any level of advancement in the entitlement process. The CUP process requires a formal application submission and a formal review by City Staff and approval by the Green Bay Plan Commission, specifically as the project relates to the question of appropriate Land Use for the proposal at hand.

The CUP submission is comprised of two major components. The first is the operational/programmatic statement. This is a description of the intended use of the property as it relates to ongoing management. Newcap has prepared this component with the CUP application. This document represents the second component of the submission, speaking officially to the feasibility of the facility and project site as they related to applicable codes and standards of the City of Green Bay.

Proposal Narrative References

This report features the following applicable codes.

- City of Green Bay Municipal Code
 - Zoning Code (Green Bay Municipal Code Chapter 44 Zoning Code
 - Article XVI Green Bay Land Use Development Standards
 - Building Codes (Green Bay Municipal Code Chapter 8 Buildings and Construction)
 - Article II – Building Code
 - Adopted Codes
 - Wisconsin State Commercial Building Code
 - 2015 IBC (International Building Code)
 - 2015 IEBC (International Existing Building Code)
 - 2015 IFC (International Fire Code)
 - 2010 ADA Federal Guidance (American Disabilities Act)

Land Use Standards

Use Appropriateness Context

As part of the conditional use requirement, City Staff and Planning Commissioners are asked to consider the appropriateness of the site as it relates to the proposed use in context to adjacent uses and what the capacities are of the existing site and or proposed facility. First we must understand what the use of the facility shall be defined from a municipal code point of view:

Although the function of the facility will be considered a "Non Transient Boarding House" per the International Building Code, the City of Green Bay regulates congregate housing as defined by the definition of "Dormitory"

*City of Green Bay Municipal Code, Article III, Division 2 (definitions) Section 44-250 Land Use Definitions.
Under "Multiple Family Dwelling" (2) Congregate Living Uses*

44-1581. Conjugate Living Uses. (a)(4) Room/boarding House, (b)(8) Community Living Arrangement, (c)(4) Frat/sorority house, (f)(5) Nursing Home/Assisted living. All "may be considered a dormitory as defined and regulated within the Municipal Code"

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, or restroom facilities. This definition includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community-based residential facilities, migrant housing, seminary, or similar institution.

The proposed use of this location as residential facility echo's back to its original construction as a single family home. The building is a long-time fixture on the site and in the neighborhood, therefore the existing facility is already is contextually appropriate as a building type with appropriate scale at this location. As it is surrounded by other mixed-use, downtown zoning properties (some of which already share the conditional-use label), the proposed use of the facility as a shelter, is equally compatible when considering adjacent uses and suggests a level of favorably.

Adding to this favorable assessment is the centrally located position of the property where a hub of social services and supportive organizations is focused. The location provides easy access to concentrated resources and support facilities that are crucial for the facility residents. The general walk-ability and access to transit in the area is ideal for families and residents who may be undergoing crisis or transition, and may face mobility challenges. Being in the heart of Downtown Green Bay offers excellent connectivity to nearby Schools and Churches. Job and job training facilities are also easily accessible from the location, as are parks and recreation opportunities. This location would be extremely favorable and advantageous to the population served by this facility, particularly families in need.

Land Development Standards

Additional regulatory requirements of the "Dormitory" classification

Green Bay Municipal Code, Article XVI Land Use Development Standards Section 44-1581 Congregate Living Uses

(c) Dormitory in all districts.

(1) On-site services shall be for residents of the facility only.

(2) The maximum number of persons occupying the building shall not exceed four per bedroom with 50 square feet of sleeping area per resident, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption. Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.

(3) One bath and restroom facility for every eight individuals residing in the dormitory. The bath and restroom facility shall be located so that no individual is required to pass through a sleeping room other than their own in order to access the bath and restroom facility.

(4) One kitchen and dining area for every ten individuals residing in the dormitory.

(5) One laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and a washbasin for every ten individuals residing in the dormitory.

(6) One common use area/lounge of at least 600 square feet in size for relaxation and recreation of the occupants for every ten individuals residing in the dormitory.

(7) If the dormitory use ceases for a period of 12 months or more, the conditional use approval will no longer be in effect. If construction and occupancy has not been completed and established within 12 months of the date of approval, the conditional use status of the property shall no longer be in effect. In the event of a natural disaster or emergency situation, as determined by the City of Green Bay, these regulations may be suspended for a term of not more than 12 months.

The proposal by Newcap is still formulating the specific programmatic design upgrades that will support a specific occupant capacity (number of residents) of this facility. As the proposal is an adaptive reuse of an existing building, there are a number of challenges that may exist within the existing conditions of the building that will require specific building upgrades and renovations. These adaptations will be covered during a later building code review process with City officials. Additionally, Newcap may approach the City of Green Bay at a future date, for consideration of exceptions to the Dormitory requirement as physical constraints of the existing facility or budgetary limitations may constrain the ability to follow a strictly defined standard of the "Dormitory" label. Reasonable asks to modify aspects of the dormitory requirement may be requested.

Zoning Code Standards

Another aspect for the CUP process is a site plan consideration.

Green Bay Municipal Code, Chapter 44 Zoning, Article II. Administration, Division 2 Green Bay Planning Commission, sec 44-83 Conditional Uses part (e) Standards items 1-7

Generally speaking, the proposal as presented, offers no evident concerns to meet site standards that are listed in the Code. The following conditions will be reviewed with the Green Bay City Staff as the entitlement process continues.

- *Off-street parking facilities to be consistent with Zoning Code requirements, based on occupant loads and use changes.*
- *Facility or site modifications will not be injurious to the use of other property or diminish or impair property values within the surrounding neighborhood.*

Building Code Standards

Although the Planning Commission does not carry the power to administer specific building code enforcement, a part of the CUP approval consideration is to understand the capacity and appropriateness of the existing facility and land use to with the proposal.

The existing facility located at **315 South Jefferson** will require a level of renovation to adapt the facility to a new use. The Building Codes provided by the City of Green Bay, and its adoption of the Wisconsin State Commercial Code as well as associated International Building Codes, including guidance for ADA accessibility guidelines, will determine the scope of these renovations.

The current unanswered question of the specific occupant load (number of residents) will largely be determined by the final design features of the facility. Code considerations related to public health, safety, and welfare which will contribute to the renovations are:

Use and Occupancy

Per International Building Code (IBC) Chapter 3 Use and Occupancy Section 310.4

For this proposal our use changes from Office to Residential. Our Occupancy is considered R-2 based on the new residential-use catering to more than 16 "non-transient" residents. (*Boarding House / Non Transient*)

Fire Protection

Per International Building Code (IBC) Chapter 9 Fire Protection Systems Section (F) 903.2.8 Group R

- An automatic sprinkler system in accordance with Section 903.3 shall be provided throughout all buildings with Group R fire area*

The type of Sprinkler System required by R-2 use, based on occupancy, will most likely be of the NFPA-13R standard – but this must be confirmed with the local Green Bay Fire Marshall as a matter of design approvals/permits.

Egress and Accessibility

Per International Building Code (IBC) Chapter 10 Means of Egress

Occupant loading of the facility will be effected by egress capabilities.

Per American for Disabilities Act 2010 Standards for Accessible

ADA egress path or guidelines for accessibility, inclusive of commons area bathrooms (with accessible showers).

SUMMARY

The property located at 315 South Jefferson Street is a stately contributor to a strong downtown building stock. The Victorian home has a long history as a prominent presence on Jefferson Street, and over the years has been utilized for a number of residential and non-residential uses. The Newcap proposal is another appropriate and fitting use for this facility that will spark renovations and improvements that will extend the functional use and longevity of this handsome building. The proposed use will also be well served in a mixed use and downtown flavored neighborhood. The area has an excellent concentration of resources, amenities, and transit options that will supporting residents at this well-matched location.

The existing building does require a level of code updates and improvements to meet requirements with the new proposed use. Although the specific occupant load of the proposed facility (number of residents) will be determined at a later point by the scope of improvements made to the facility per code, the facility is a good fit for the intended use. Upon completion of the building renovation, this location will have the potential to thrive as a positive contribution to the community.

NEXT STEPS

A move forward with the CUP approval will allow Newcap to move forward in its design and planning processes. These processes will include City officials collaborating with Newcap to determine what specific improvements will be implemented to the building and the site to meet or exceed expectations of the City of Green Bay and the terms of the conditional use approval.

Respectfully Submitted,



Christopher Max Naumann; AIA, ALA, NCARB 8/4/2021
President
Christopher Max Design & Development LLC.



Department of Police

James L. Runge
Chief of Police

June 28, 2021

William Peters, Neighborhood Development Specialist
City of Green Bay
Department of Community and Economic Development
100 N Jefferson Street # 608
Green Bay, WI 54301-5026

Dear Mr. Peters,

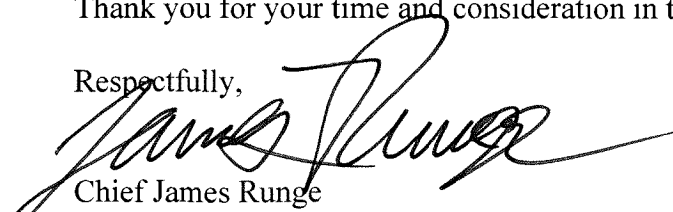
The Green Bay Police Department is writing a letter of support to Newcap in support of both their short-term housing projects for families and for youth. Both projects are short-term housing facilities. These two facilities offer a variety of supportive services to families and youth (under the age of 18) within our community. These facilities will help keep the homeless populations off the streets and provide them a safe place to sleep at night. Both programs fill much needed gaps within our city.

The (CABA) Center for Advocating, Believing, and Achieving fills a gap in homeless services within our city and will provide safe and stable short-term housing for families. The proposed location for this facility is 315 S. Jefferson Street Green Bay, WI. Currently this short-term housing is needed. Newcap reports eight families are housed and 32 on the wait list that are not eligible anywhere else. The program is in a temporary facility now and needs to relocate to the S. Jefferson site.

The Center for Youth will provide short-term housing for youth under the age of 18 within our city while working on family reunification and/or finding alternate housing and provide supportive services and referrals to other area resources. The proposed location for this facility is 932 Cherry Street Green Bay, WI. The project will be able to serve 6-8 youth at a time.

Thank you for your time and consideration in this matter.

Respectfully,


Chief James Runge
Green Bay Police Department

6/30/2021

William Peters, Neighborhood Development Specialist
City of Green Bay/Department of Community and Economic Development
100 N Jefferson St, 608
Green Bay, WI 54301-5026



Dear William,

The Wisconsin Association for Homeless and Runaway Services is happy to provide this letter of support of Newcap's Center for Youth in the City of Green Bay. This Center will serve unaccompanied youth under 18 years of age that are not eligible in any other facility in the community. As members of WAHRS, Newcap and the proposed shelter will collaborate with the other shelter service providers in the area of Green Bay and the surrounding communities. These services include those provided by: House of Hope, a licensed sheltercare facility that provides voluntary and court ordered shelter and services to female unaccompanied youth in the Green Bay area, as well as Boys & Girls Clubs of the Fox Valley in Appleton and Menasha, Foundations Health and Wholeness in Green Bay and Sheboygan, and Family Services of Northeast Wisconsin, all of whom currently provide shelter through voluntary placements in licensed foster homes. Despite collaboration and mutual referral among these agencies, we find that the options for voluntary shelter are not sufficient to meet the need for services in Green Bay and the surrounding communities, especially among runaway and homeless youth who are male and for whom host homes/licensed foster homes are not the best option.

The Center will provide crisis care to runaway and homeless youth not already receiving services from child welfare or juvenile systems. Center staff will work to establish and strengthen community-based programs that meet the immediate needs of runaway and homeless youth and their families. The Center will provide short-term housing, food, and clothing. Newcap's Community Health Clinic will provide mental health counseling and therapy and will have clinic hours provided at the shelter, as needed. The Center will be able to provide up to 21 days of housing for up to 6 youth and work toward reunification if possible. They will locate alternative placements, when appropriate. Center staff can also provide out-of-shelter services, including street outreach, family support, and referral to short-term housing. These facilities offer a range of needed, supportive services to youth (under the age of 18) within our community.

The Center for Youth will provide short-term housing for youth under the age of 18 within the city, while working on family reunification and/or finding alternate housing and provide supportive services and referrals to other area resources. This addresses a current gap in homeless services within Green Bay and will provide safe and stable short-term housing for unaccompanied youth.

If I may be of further assistance regarding this matter, please do not hesitate to contact me by email or at (608) 239-5430.

Sincerely,

Joli Guenther
Executive Director
(608) 239-5430/joli@guentherhome.com



1201 Main Street, Oconto, WI 54153

920.834.4621

Newcap.org

William Peters, Neighborhood Development Specialist
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100 N Jefferson St, 608
Green Bay, WI 54301-5026

Dear William,

Please accept this letter as our formal request for assistance in the purchase of two properties located in the City of Green Bay. The properties are located at 315 S Jefferson Street and 923 Cherry Street. These properties would be used as 24/7 short-term housing facilities that would provide shelter for two very vulnerable populations.

315 S Jefferson Street will be used as a short-term housing/shelter facility and will serve approximately 10-12 families that are not being served by the other shelters in the City. This project is called the Center for Advocating, Believing, and Achieving (CABA). There are currently two other family shelters in the City of Green Bay. One only serves the traditional family and the other one serves young parents and their children. This shelter would be used to fill the gap. This shelter will be staffed 24 hours per day and will offer a vast array of supportive services to families that reside there. These services will be structured in a way that will assist families in finding alternative housing as soon as they are able. A full-time Family-Centered Coach will be available 40 hours per week to help these families work toward their dreams while also working on housing stability. This facility will be able to help isolate families that may have contracted COVID-19 or been in contact with someone that test positive for COVID-19. The asking price for this building is \$134,900 plus closing costs of approximately \$2,000.

923 Cherry Street will be used as a short-term housing facility for youth under the age of 18. This facility will be staffed 24/7 and residents will not have to leave during the day time hours. There will also be a drop-in center for youth to be at during the day. This facility is called the Center for Youth. This shelter received funding from DEHCR for rehabilitation, staffing and operations so we are looking for funds to purchase the facility. This facility will take all youth under the age of 18 no matter the situation. The Wisconsin Association for Homeless and Runaway Services is supporting Newcap in this venture and has included the project in their Basic Center Funding Grant for 2021-2022. The purchase price for this facility is \$139,900 plus closing cost of approximately \$2,000. A Youth Case Managers will be on staff 40 hours per week do assist youth with family reunification or locating alternate housing. Youth are allowed to reside at the shelter up to 21 days but extension can be allowed on a case-by-case basis. This shelter is helping to close a gap in service in this community.

The funding that the City of Green Bay has available will make these projects possible and help in closing the gaps in services to end homelessness within the City. Newcap is currently housing families at a facility within the county. This facility can only house 8 families at one time and has been full since May 2021. There are currently 32 families on the CABA waitlist looking for housing. Also, the Safe Parking Project is averaging 10-12 cars per night. This new facility will help close the gap further and will not have these households on the streets during the daytime hours. The City funding will make a huge impact on the homeless and runaway youth in the community and will allow youth the opportunity of a safe place to sleep while working on other barriers.

Please let me know if you have any questions regarding this request.

Respectfully,

Cheryl Detrick
President & CEO

Advocating. Believing. Achieving.



1201 Main Street, Oconto, WI 54153

920.834.4621

Newcap.org

William Peters, Neighborhood Development Specialist
City of Green Bay
Department of Community and Economic Development
100 N Jefferson St, 608
Green Bay, WI 54301-5026

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Cheryl Detrick
President & CEO

Advocating. Believing. Achieving.



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.9

(ZP 21-23) Public Hearing on a request to authorize a Conditional Use Permit (CUP) for a dormitory use in an Office/Residential (OR) District at 932 Cherry Street, submitted by Cheryl Detrick, Newcap, Inc., NAMI Brown County, Inc, property owner (Ald. R. Scannell, District 7).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ZP 21-23 Class 2 Pub PC Mtg

For Official Notice:

**Public Notification
Proposed Conditional Use Permit (CUP)
932 Cherry Street
(ZP 21-23)**

The Green Bay Plan Commission will hold a public hearing on **Monday, August 9, 2021**, at 6:00 p.m. If you wish to participate in a public hearing, you may access the meeting by the internet or telephone using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+1 312 626 6799,,84137675822# US (Chicago)

+1 646 876 9923,,84137675822# US (New York)

[Dial by your location](#)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

A request to authorize a Conditional Use Permit (CUP) for a dormitory use in an Office/Residential (OR) District at 932 Cherry Street, submitted by Cheryl Detrick, Newcap, Inc., NAMI Brown County, Inc, property owner (Ald. R. Scannell, District 7).

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Department of Community and Economic Development

Attn: Paul Neumeyer

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact Paul Neumeyer at (920) 448-3405 or paul.neumeyer@greenbaywi.gov.

Publication Dates: July 26, 2021 and August 2, 2021



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

Paul Neumeyer, Staff

AGENDA ITEM # E.10

(ZP 21-23) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for a dormitory use in an Office/Residential (OR) District at 932 Cherry Street, submitted by Cheryl Detrick, Newcap, Inc., NAMI Brown County, Inc, property owner (Ald. R. Scannell, District 7).

BACKGROUND

Primary Address: 932 Cherry Street

Aldersperson / District: Ald. Randy Scannell, District 7

Reason for Request: To permit a dormitory facility.

Surrounding Zoning and Land Uses:

SUBJECT: Office/Residential (OR) - vacant dwelling.

NORTH: Planned Unit Development (PUD) - Whitney School Lofts

SOUTH: Office/Residential (OR) - Office use

EAST: Office/Residential (OR) - Multi-family use

WEST: Office/Residential (OR) - Low density residential land uses

Comprehensive Plan: The 2022 Smart Growth Plan designates the subject area as Medium Intensity Retail, Office and Housing (MIROH).

Consistency Analysis: While Ch. 66.1001 Wis. Stats. does not specifically require conditional uses to meet the consistency requirement, the proposed conditional use permit is consistent with the comprehensive plan. The proposed use of the subject property is compatible with and is not contradictory to the applicable recommended policy and the future land use map.

Report: The subject property is located on the southwest N. Webster Avenue and Cherry Street. The site is comprised of two lots containing a total 0.20 acres or 8,800 sq. ft. The approval of the request would allow for the repurposing of the former single-family dwelling as a dormitory for homeless teens. A narrative and operational plan from the applicant is attached within this agenda.

In the review of the Conditional Use Permit (CUP), the Zoning Ordinance Section 12-205(e) establishes seven standards for the Plan Commission to consider when reviewing a CUP:

1. *The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.*

2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
3. *The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.*
4. *Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
5. *Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.*
6. *The conditional use shall have adequate parking facilities as specified in subchapter [13-1700](#).*
7. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable city ordinances.*

The existing 2 ½ story dwelling, most recently used as a commercial building and will include the installation of a new kitchen. The applicant has consulted with an architect regarding building code compliance and documentation has been provided within this agenda packet.

The use of communal living arrangements for four or more people is permitted with a CUP and must meet minimum criteria within the Code. The Green Bay Zoning Code requires in 44-1581. Congregate living uses, development standards for Dormitory in all districts:

- (1) On-site services shall be for residents of the facility only.
- (2) The maximum number of persons occupying the building shall not exceed four per bedroom with 50 square feet of sleeping area per resident, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption. Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (3) One bath and restroom facility for every eight individuals residing in the dormitory. The bath and restroom facility shall be located so that no individual is required to pass through a sleeping room other than their own in order to access the bath and restroom facility.
- (4) One kitchen and dining area for every ten individuals residing in the dormitory.
- (5) One laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and a washbasin for every ten individuals residing in the dormitory.
- (6) One common use area/lounge of at least 600 square feet in size for relaxation and recreation of the occupants for every ten individuals residing in the dormitory.
- (7) If the dormitory use ceases for a period of 12 months or more, the conditional use approval will no longer be in effect. If construction and occupancy has not been completed and established within 12 months of the date of approval, the conditional use status of the property shall no longer be in effect. In the event of a natural disaster or emergency situation, as determined by the City of Green Bay, these regulations may be suspended for a term of not more than 12 months.

The Green Bay Municipal Code 44-1726, Figure 2, requires shelter facilities 1 space per 5 residents based on capacity plus 2 spaces per 3 employees on the largest shift. Parking can be found in an existing garage to the rear of the property as well as the driveway leading to the garage.

This proposed use is in compliance with the above development standards; however, staff is recommending conditions of approval listed below. Staff feels the proposed use is an acceptable and consistent with existing land uses for the immediate neighborhood and meets the standards for CUP approval.

Ald. R. Scannell, the Downtown Neighborhood Association and adjacent property owners within 200 ft. of the subject area have been noticed of the request. A neighborhood meeting was conducted by the applicant on July 27. There have been no inquiries regarding this request as of the drafting of this report.

RECOMMENDATION

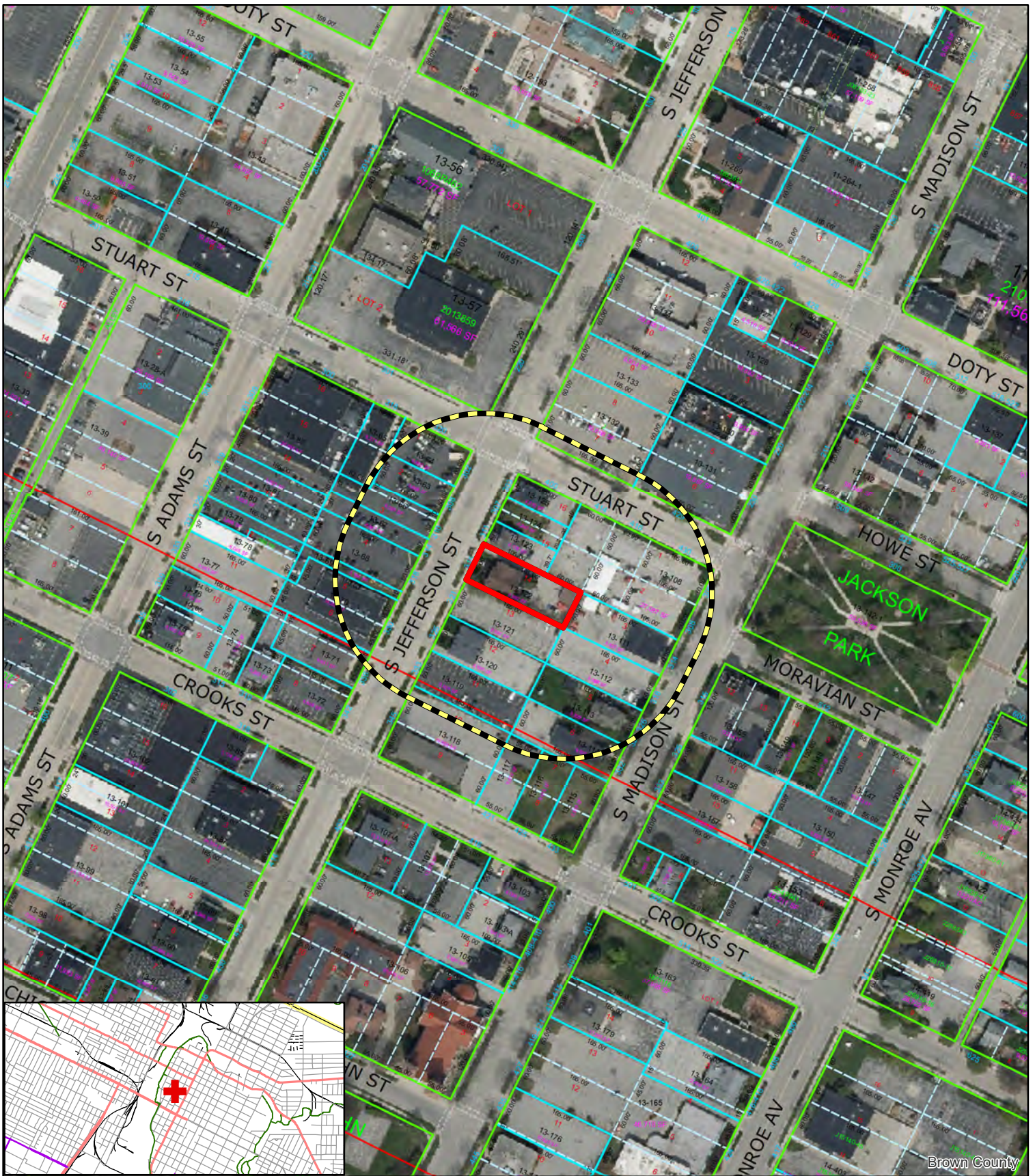
Approval of the request, subject to:

1. A maximum capacity of 10 individual residents within the dormitory. Any increase in residents will require Plan Commission and Common Council approval.
2. If the rooming & boarding house facility use at 932 Cherry Street is discontinued, the operation is dissolved, or if Newcap no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
3. At the discretion of the Common Council, Plan Commission or Planning Director, a review may be required by the Plan Commission and Common Council to ensure compliance with this conditional use permit and identify any areas of concerns with the rooming & boarding house but not limited to:
 - a. Police calls and other documented safety concerns.
 - b. Inadequate facilities.
4. Conformance with the submitted operating plan submitted by the applicant.
5. Compliance with all other regulations of the Green Bay Municipal Code.
6. A site plan be reviewed and approved by the Community Development Review Team (CDRT).

FISCAL IMPACT

ATTACHMENTS

1. ZP 21-22 letter
2. 07.27.2021 Newcap Short Term Housing Policies and Procedures
3. 932 Cherry St Feasibility Narrative
4. LOS GBPD
5. Newcap letter of support WAHRS signed
6. Signed Letter from Newcap



Zoning Petition (ZP 21-22)
 Proposed Conditional Use Permit (CUP)
 315 South Jefferson Street

- Subject Area
- 200' Property Owner Notice



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
 Map prepared by PN

Newcap

Short Term Housing

Policy and Procedure Manual

07/27/2021

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06.10	Program: Confidentiality Policy
06.11	Program: Resident Rights
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Addendum 2:	Informal Hearing/Grievance Procedures
Addendum 3:	Resident Rights Statement
Addendum 4:	Service/Support Animal Flowchart
Addendum 5:	FHEO-2020-01

01.01 PHILOSOPHY: MISSION AND VISION STATEMENT

Mission Statement: Newcap's mission for over 50 years has been to move people from poverty to opportunities and economic security, while enhancing community development.

Vision Statement: Our vision is a world of hope, inclusion, and social justice where poverty has been overcome, people are met where they dream, and all live with dignity and security.

Procedure:

- A. Newcap Mission and Vision Statements shall be included and discussed in new employee and volunteer onboarding sessions
- B. The Director of Housing and Supervisor shall discuss these statements with staff and volunteers when appropriate, especially if a staff member's or volunteer's behavior is not in accord with the statement

As a recipient of Federal financial assistance, Newcap does not exclude, deny benefits to, or otherwise discriminate against any person on the ground of race, color, national origin, age, sex, religion or disability in admission to, participation in, or receipt of the services and benefits of any of its programs and activities or in employment therein, whether carried out by Newcap directly or through a contractor or any other entity with whom Newcap arranges to carry out its programs and activities. This statement is in accordance with the provisions of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Regulations of the U.S. Department of Health and Human Services issued pursuant to these statutes at Title 45 Code of Federal Regulations Parts 80, 84, and 91.

02.01 ENVIRONMENT: FIRST AID/CPR

Policy: First aid supplies must always be available.

Procedure:

- A. First Aid Kits
 - 1. One kit will be kept on each floor of Newcap short term housing facilities.
 - 2. Kits will be monitored and replenished as needed by the support staff on site.
- B. Defibrillators
 - 1. Newcap will provide defibrillators on site
 - 2. Staff will receive training from Newcap Community Health Services on how to use a defibrillator
- C. Narcan
 - 1. Narcan will be available on site and staff will receive training on an as needed basis for administering Narcan.

02.02 ENVIRONMENT: BEHAVIOR MANAGEMENT

Policy: Staff will be trained to deal with disruptive, combative residents, and shall maintain established procedures for dealing with such situations.

Procedure:

- A. De-escalation Training
 - 1. De-escalation training will be provided to all staff during employee orientation. Sessions will also be offered to the staff on an as-needed basis.

- B. Combative Residents: Staff who encounter a combative resident should:
1. Divert or contain resident, using appropriate techniques taught in behavior management training
 2. Call "911" if necessary
 3. Notify the Supervisor and fill out an incident report

02.03 ENVIRONMENT: EMERGENCY AND DISASTER PROCEDURES

Policy: To maintain an Employee Safety Manual (Addendum 1) on site and ensure all staff have access to the plan.

Procedure:

- A. Reference the Employee Safety Manual for any immediate safety concerns.
- B. Chain of command needs to be notified in the event of an emergency
- C. Incident reports need to be completed immediately following an emergency or disaster.

02.04 ENVIRONMENT: WEAPONS

Policy: Firearms, ammunition, explosives, or any weapon (as defined by federal, state, or municipal laws or ordinances) are strictly prohibited from being on Newcap property.

Procedure:

- A. All bags carried into the building by staff, residents, visitors, and volunteers are subject to search
- B. Any comments made regarding weapons will be taken seriously and investigated appropriately
 1. Investigation may include search of bags, rooms, vehicles, or personal property
- C. Any staff found to be in possession of a weapon will be immediately suspended pending disciplinary action up to and including termination
- D. Any resident, visitor, or volunteer in possession of a weapon will be immediately escorted out of the building, and will not be allowed to return
 1. If they refuse to leave, police will be called to escort them from the property
 2. Police will be called for any immediate safety concerns regarding weapons.
- E. Staff will report to the Supervisor and complete an incident report
- F. Newcap short term housing facilities will maintain records of individuals who are barred from the property because of weapon possession

02.05 ENVIRONMENT: INFECTION CONTROL

Policy: Procedures shall be implemented to diminish the danger of infectious disease transmission.

Procedure:

- A. Blood and body fluids of all persons will be treated as potentially dangerous
- B. Staff with any condition of broken skin, will use protective gloves before carrying out duties that might expose their blood or body fluids to other people
- C. If a resident is known to have an infectious or contagious condition, staff will use appropriate protective equipment in carrying out their duties with that resident
- D. All staff will wash their hands thoroughly after they have removed any protective equipment used in handling a situation with the potential for exposure
- E. If exposure of bodily fluids occurs, he/she should take the following steps:
 1. Wash the exposed area with soap and water, using a disinfectant afterwards
- F. If the exposure is by mouth, eyes, or open sores, the following steps should be taken:
 1. Flush the affected area with water
 2. Rinse mouth with peroxide, if available

G. Report any exposure to Supervisor and complete an incident report within 24 hours

02.06 ENVIRONMENT: BIOHAZARD PROCEDURES

Policy: To provide a safe and healthy environment. Staff and residents shall conduct their daily activities in a safe manner in compliance with all safety/health standards.

Procedure:

- A. Regulated wastes of sharps, biohazards or other potentially infectious material (OPIM) are to be disposed of in designated containers that are appropriately labeled
- B. Sharps are discarded immediately (*needles should be bent or broken*) or as soon as possible in labeled containers.
- C. Bins are cleaned and decontaminated as soon as feasible after contamination
- D. Broken glassware which may be contaminated is to be picked up using mechanical means, such as a brush and dustpan, or tongs and disposed of in approved biohazard container
- E. Garments, protective coverings, and cleaning materials which may be contaminated are to be disposed of in approved biohazard disposition containers
- F. Sharps and/or, biohazard containers go to the Newcap Community Health Services clinics for disposal.

02.07 ENVIRONMENT: RESIDENT RESEARCH/CONFIDENTIALITY

Policy: To protect the confidentiality of our residents by evaluating external research and interview requests.

Procedure:

- A. Any requests from external organizations to conduct research with and/or to interview residents will be evaluated by the Director of Housing.
 - 1. No videotape, audiotape, or photographs will be taken of residents without a signed consent from residents and approval by the Director of Housing.
 - 2. Questions to be asked of residents, need to be approved by the Supervisor in advance
- B. All residents are asked to sign a release of information which applies only to:
 - 1. Inter-agency sharing of information in order to provide appropriate social services to residents
 - 2. Internal research and documentation used to secure additional social services and funding

03.01 SUPPORT SOCIAL SERVICES: BUILDING MANAGEMENT

Policy: To maintain the facility in a manner that ensures the physical safety and comfort of residents, staff, visitors, and volunteers.

Procedure:

- A. Newcap is responsible for:
 - 1. Building management and maintaining the property
 - 2. Utilize outside vendors as needed for repairs
 - 3. All required inspections of the building, i.e., fire, safety, plumbing, etc
 - 4. Extermination for pests
- B. Routine cleaning will be done by residents, as they are assigned daily chores
- C. Staff and volunteers will perform and delegate cleaning duties
- D. Any building repairs will be reviewed and approved by the Chief Operating Officer and the Director of Housing.

03.02 SUPPORT SERVICES: RELIGIOUS FREEDOM

Policy: To support the care and counseling provided by pastors, chaplains, and other members of faith communities.

Procedure:

- A. Residents are free to attend church or church related events of their choice
 - 1. Residents are responsible for obtaining their own transportation
- B. Programs will honor participants preferred religious beliefs or absence thereof
- C. Residents will not be required to participate in any religious activities or other forms of religious expression.
- D. Overnight requests for religious or tribal purposes will be reviewed by the Supervisor.

03.03 SUPPORT SOCIAL SERVICES: TRANSPORTATION

Policy: We shall establish procedures to govern activities involving transportation of residents.

Procedure:

- A. Residents are responsible for arranging their own transportation
- B. Newcap staff will assist residents in identifying transportation options and resources when requested.
- C. Newcap staff will provide transportation when staffing levels allow.
 - 1. Transportation provided by staff will be only by approved, licensed, and insured drivers through Newcap.
 - 2. Transportation of residents will only be done in Newcap fleet vehicles.
- D. Staff's personal vehicles to transport residents
 - 1. Transportation of residents in staff's personal vehicles should be limited. In cases in which it is unavoidable, the person driving should be an approved driver (see paragraph E, below)
- D. Resident vehicles
 - 1. Residents are encouraged to have a valid driver's license and car insurance to use their own vehicle
 - 2. Newcap staff will assist with locating affordable care insurance and resources to that assist with obtaining a valid driver's license.
- E. Transportation of Residents for Medical Needs
 - 1. Residents will only be transported for medical purposes if 911 is not required and when approved by the Supervisor.
- F. Newcap staff will comply with and follow all Newcap vehicle related policies in the handbook.

03.04 SUPPORT SOCIAL SERVICES: VOLUNTEERS

Policy: To recruit and utilize volunteers wherever appropriate, and maintain procedures for recruitment, training, placement, and supervision of such volunteers.

NOTE: *This policy is intended to cover volunteers who are a regular and ongoing part of Institution operations, i.e. persons who function in a role which might be filled by an employee if the volunteer were not available.*

Procedure:

- A. Recruitment is done by all staff in cooperation with the Director of Housing and Supervisor.
- B. Volunteers will receive:
 - 1. A tour of the facility
 - 2. A briefing, and discussion, of what to expect of their duties and interactions with residents
- C. Each volunteer is required to complete the following, which will be kept in the office
 - 1. Volunteer Application form
 - 2. Criminal History Background Check

- 3. Non-disclosure/Confidentiality paperwork
- D. Placement and Supervision
 - 1. The Supervisor will assign duties to volunteers, based on the interests and experience, as well as the needs of the facility
 - 2. Volunteers should be under the supervision of staff, or with another volunteer at all times
 - 3. Volunteers should wear volunteer badge
- E. If a volunteer's work is unsatisfactory, the Supervisor will discuss the problem with the volunteer
 - 1. The decision to terminate the volunteer's placement will be made by the Chief Operating Officer, Director of Housing, or Supervisor
 - 2. If safety is in jeopardy, staff may ask the volunteer to leave the premises pending the final decision
- F. To record statistics: volunteers must Sign-In/Out on "Volunteer" sheet, and check appropriate duties
- G. Staff will secure permission of all residents to work with volunteers. No resident will be required to work with a volunteer or volunteer group
- H. Volunteers are prohibited from being alone with minor children without permission from Newcap

03.05 SUPPORT SOCIAL SERVICES: VISITOR PROCEDURES

Policy: To maintain established procedures to ensure the protection of each resident's right to confidentiality as well as access to visitation by friends and family.

Procedure:

- A. Visitation
 - 1. Only pre-approved visitors will be allowed into the shelter
 - 2. Newcap staff reserve the right to revoke visitor privileges with permission from the Director of Housing or Supervisor.
 - i. Visitor privileges will only be revoked for extenuating circumstances or for safety reasons.
 - 3. All visitors will be required to check-in/out on appropriate form and wear a "Visitor" badge
 - 4. No visitation will take place between the hours of 7:00PM and 8:00A.M. or during dinner time
 - 5. Visitors are only allowed in the common areas of the house (Living room, Gathering Room, Kitchen, and backyard areas) during authorized hours when resident, and staff, is present
 - 6. Visitors can stay for a maximum time limit of 1 hour unless otherwise approved by staff on site for extenuating circumstance.
 - 7. All packages brought onto property are subject to search
 - 8. Small children will be supervised by the resident or their adult visitor at all times
 - 9. Visitors must comply with all house rules, appear in acceptable dress and conduct themselves in an acceptable manner or will be asked to leave the premises
 - 10. Visitors are not to eat house food/beverage

03.06 SUPPORT SOCIAL SERVICES: BUILDING KEYS

Policy: Maintain established procedures for distribution of building keys in order to protect the security of the building and the residents, staff, visitors, and volunteers.

Procedure:

- A. The Director of Housing and Supervisor are responsible for maintaining a master set of keys, accurately labeled and organized, from which copies can be made as needed
- B. Staff will be responsible for a set of keys while on duty
 - 1. Keys must be kept in staff possession, not loaned or duplicated by unauthorized individuals

03.07 SUPPORT SOCIAL SERVICES: ACCESSIBILITY

Policy: To take all appropriate and reasonable steps to ensure the accessibility of the facility and its programs to individuals with disabilities.

Procedure:

A. Newcap shall be compliant with the provisions of the Americans with Disabilities Act

B. Newcap shall be compliant with Fair Housing

No person shall be denied services due to disability or illness such as HIV and/or AIDS

03.08 PROGRAM: SERVICE/SUPPORT ANIMALS

Policy: Newcap will provide accommodations when able and required for residents with support animals in compliance with the Americans with Disabilities Act and Fair Housing

Procedure:

A. Resident requests for reasonable accommodations for service/support animals will be reviewed by the Supervisor and/or Director of Housing

1. Requests are encouraged to be in writing but are not required to be written.

2. Newcap will keep copies of all reasonable accommodation requests in resident files

B. The Supervisor and/or Director of Housing will determine if the service/support animal is a service animal or another type of assistance animal (Addendum 4)

C. Newcap staff will only ask the questions allowed and referenced in the Office of Fair Housing and Equal Opportunity Note #FHEO-2020-01 (Addendum 5)

D. Staff shall request documentation as allowed per the Office of Fair Housing and Equal Opportunity Note #FHEO-2020-01 (Addendum 5)

E. Reasonable accommodations will be provided on an as needed basis and when required

F. Approved animals will need to present proof of vaccinations

04.01 FISCAL PRACTICES: DONATIONS

Policy: Newcap may receive two types of donations: Monetary Gifts and In-Kind Gifts of Property and Services.

A. Policy applicable to both Monetary and In-Kind Gifts:

1. Quid Pro Quo: Newcap is prohibited from and shall not provide any donor with goods or services in exchange for monetary or in-kind donations

2. Tracking Donors: Newcap shall maintain a listing of all donors, their addresses, amounts donated and other relevant information

3. Required Communications with Donors: All donors shall receive an “In-Kind” donation receipt and a “Thank You” card for In-Kind gifts

a. In-Kind Form: Newcap shall acknowledge receipt and date of receipt of the In-Kind Gift, describe the property and/or services donated,

B. Policy Applicable to In-Kind Gifts of Property and Services

1. Accepting In-Kind Gifts: Newcap shall not accept in-kind donations for which it has no use and cannot easily distribute

2. Value of In-Kind Gifts: Except for cars, boats and planes for resale, Newcap shall require the Donor to list the market value of the in-kind contribution. Newcap shall not set a value on the gift donated. For

accounting purposes, Newcap may use the donor's stated value or assign a different value as Newcap may subsequently determine

3. In-Kind Professional Services: Donated professional services will only be accepted from a donor who is in business of providing such services professionally.

05.01 PERSONNEL: SUPERVISION PROCEDURE

Policy: Staff shall remain in contact with each other and the supervisor.

Procedure:

- A. Staff shall communicate on a regular basis through shift notes, case notes, emails, and in person.
- B. Staff meetings will be held on an as needed basis.
- C. Supervisor and Supervisor will facilitate regularly occurring one on one supervision meetings.

05.02 PERSONNEL: ORIENTATION PROCEDURE

Policy: To conduct regular onboarding and training opportunities, covering all pertinent topics. In addition, every staff

member shall receive appropriate training prior to actual performance of job duties.

Procedure:

A. Schedule

1. Onboarding will be conducted for each new employee hired within one week of the official start date for the new employee. Onboarding may be scheduled for a later date depending on availability of the Chief Operating Officer or other leadership personnel that would be conducting it.
2. New staff shall receive appropriate training by the short term housing supervisor and on site staff prior to actual performance of job duties
3. Emergency Procedures will be reviewed with each new staff member within 7 days of employment

B. Curriculum

1. Onboarding and training sessions will include but not be limited to the following topics:
 - a. Emergency Procedures
 - b. Behavior Management/Crisis Intervention Techniques
 - c. Confidentiality Issues
 - d. Review of Personnel Policies and this Policy Manual
 - e. Review of Job Description and Employee Handbook
 - f. Review of Newcap programs and resources
 - g. Review of Community Action

05.03 PERSONNEL: EMPLOYEE/RESIDENT INTERACTION

Policy: Newcap shall comply with avoidable contact or association between employees and active residents, or anyone who has been a resident within the past two years, unless specifically authorized as part of their job description. This prohibition applies to such contact between employees and family members or significant others of such residents as well. This policy explicitly applies to romantic/sexual interaction.

Procedure:

1. Employees shall neither borrow from, loan to, or hold money, merchandise or personal belongings for residents except if the employees' job duties require collection of resident funds, in which case established written procedure for such collection should be followed at all times
2. Employees may not purchase or sell any item to a resident, or enter into any contract with a resident
3. Employees may not function as a resident's payee for social security funds unless an approved payee program is operated by the Institution
4. Any employee who has family members or significant others who are referred to Newcap, or who has a close association with a potential resident, must notify the Supervisor immediately upon knowledge of the referral
5. Employees shall not give their own, fellow employees' or volunteers' telephone numbers or addresses to residents, residents' families, or significant others
6. Employees are prohibited from receiving or giving anything to a resident's family and/or significant other, except those items authorized in the usual course of business
7. Violation of these procedures will result in disciplinary action

05.04 PERSONNEL: DRUG-FREE WORKPLACE

Policy: Newcap shall provide an alcohol, drug and smoke-free workplace.

Procedure:

- A. Newcap is a Zero-Tolerance facility for alcohol and illegal drugs
- B. All tobacco use is to be in approved designated area
- C. Newcap staff are not allowed to smoke while working or on Newcap property
- D. All Newcap Employees must be drug and alcohol free

05.05 PERSONAL: CODE OF ETHICS

Policy: Newcap and its Board of Directors abides by the Community Action Code of Ethics.

Procedure:

- A. Regularly review and ensure compliance with the Code of Ethics as follows:
 - “We, as Community Action professionals, dedicate ourselves to eliminating poverty in the midst of plenty in this nation by opening to everyone the opportunity for education and training; the opportunity for work; and the opportunity to live in decency and dignity; and with respect for cultural diversity, commit ourselves to:
 - Recognize that the chief function of the Community Action movement at all times is to serve the best interests of the poor, thereby serving the best interests of all people.
 - Accept as a personal duty the responsibility to keep up to date on emerging issues and to conduct ourselves with professional competence, fairness, impartiality, efficiency, and effectiveness.
 - Respect the structure and responsibilities of the board of directors, provide them with facts and advice as a basis for their making policy decisions, and uphold and implement policies adopted by the board of directors.
 - Keep the community informed about issues affecting the poor; facilitate communication by the poor with locally elected public officials and the private sector.
 - Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion
 - Exercise whatever discretionary authority we have under the law to promote the interests of the poor.
 - Lead the Community Action movement with respect, concern, courtesy, and responsiveness,

recognizing that service to the poor is beyond service to oneself.

- Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all our Community Action activities in order to inspire confidence and trust in the Community Action movement.
- Serve in such a way that we do not realize undue personal gain from the performance of our professional duties.
- Avoid any interest or activity that is in conflict with the conduct of official duties.
- Respect and protect privileged information to which we have access in the course of official duties.
- Strive for professional excellence and encourage the professional development of our associates, including those seeking to become certified Community Action professionals.

B. Responsibility to Residents: Newcap staff and volunteers will:

1. Reflect the high value of each individual, be mindful of differences, cultural, and ethnic diversity
2. Refrain from discriminating against any resident on any basis not related to meeting legitimate admission requirements into the shelter
3. Avoid the use of any derogatory language, including jokes, or actions that could be perceived as harassment, disrespect, or retribution
4. Promote well-being by assisting with the development of individual success for independent living
5. Provide a socially responsible attitude in resolving conflicts between resident interest and society interest consistent with values, and ethical principles while respecting human dignity, civil, legal rights, and rights to informed consent
6. Respect residents' right to privacy. Disclosing of confidential information is valid with a written consent authorizing release of information. Disclosure of information does not apply when it is necessary to prevent harm to a resident or others within the living environment, or intention to harm someone else, elsewhere. Review with residents where disclosure of confidential information may be legally required
7. Not engage in any business relationship with residents, their families, or friends. Newcap and volunteers may not accept or exchange substantial favors, gifts, or services with residents, their families or friends
8. Will not discuss any resident information in public or areas such as hallways, stairwells, kitchen or dining room, unless the resident gives verbal permission, or unless privacy can be ensured
9. Make appropriate referrals to help residents meet their needs, and to advocate for the resident

C. Responsibility to Colleagues: Newcap personnel will:

1. Respect all colleagues. Strive to develop a supportive workplace, that upholds the ministry, each other and persons entering this sphere of influence
2. Seek advice, counsel, and support of colleagues when necessary
3. Accept supervisory responsibilities when possessing the necessary education, skills, or training
4. Follow nationally established policies and standards regarding relationships and interactions with colleagues. Maintain open communication with all colleagues
5. Discourage, prevent, and confront unethical behavior through official chain of command
6. Not exploit residents in disputes with colleagues. Discussions of management, personnel conflicts between colleagues involving residents are inappropriate and unethical

D. Responsibility to Society: Newcap personnel will:

1. Promote the development of individual's capacity to participate as a contributor to the community
2. Promote social justice and the general well-being of the community and advocate for the policies and programs that ensure all persons have access to human resources
3. Report suspected or observed abuse of a child or vulnerable adult, criminal activity or a threat of harm to

a resident, staff or volunteers

4. Reinforcing Newcap as part of the community and building rapport
5. Use funds for purposes stated. Program statistics will be supported by accurate program data

E. Responsibility as Professionals: Newcap personnel will:

1. Maintain professional competence through regular in-services, staff training, continuing education, training and supervisory feedback
2. Maintain relationships with residents, colleagues, supervisors, and the community which are constructive and promote mutual respect to improve the quality of life
3. Make clear distinctions between public statements and actions as a representative of Newcap from those made as a private individual. All statements made on behalf of Newcap must accurately represent the official, authorized, and approved position.
4. Personally conduct themselves in a manner that reflects positively on Newcap

06.01 PROGRAM: TARGET POPULATION

Policy: Newcap shall provide short term housing options for those eligible for services from Newcap.

Procedure:

- A. Short term housing facilities will provide short term housing assistance to site specific target populations.
 - a. The Center for Youth will serve youth under the age of 18 that are ineligible at the other local shelters
 - b. The Center for Advocating, Believing, and Achieving will serve households with children that are ineligible at the other local shelters
- B. Newcap shelter and motel voucher programming will follow 24 CFR 5.403 for the definition of family.
 - a. Family includes, but is not limited to, regardless of marital status, actual or perceived
 - b. sexual orientation, or gender identity, any group of persons presenting for assistance together
 - c. with or without children and irrespective of age, relationship, or whether or not a member of the household has a disability. A child who is temporarily away from the home because of
 - d. placement in foster care is considered a member of the family.
 - e. Short term housing and motel voucher programs at Newcap that serve families with children will also not discriminate on the basis of the sex or age of the children or the size of the family, except where limited by the facility. The program will take measures to ensure that involuntary family separation does not occur. Furthermore, Newcap staff shall not ask for nor require documentation to prove familial status.
 - f. The short term housing and motel voucher program shall comply with HUD's Equal Access Final Rule and will not discriminate on the basis of gender identity or expression, race, religion, or national origin.
 - g. Furthermore, Newcap will not ask for nor require documentation to prove gender.

06.02 PROGRAM: INTAKE POLICY

Policy: Newcap provides supportive emergency short term housing to target populations of households with children and unaccompanied homeless youth. Newcap is staffed 24 hours/7 days a week.

Procedure:

- C. Admission Process involves intake procedures to be fulfilled upon entry including but not limited to:
 - a. Initial intake packet
 - b. Coordinated Entry

- c. Emergency Contact Information
- d. Emergency Medical Information
- e. Shelter Resident Expectations and Guidelines
- D. Staff reviews all forms for completeness and adds staff signatures where required
- E. Give tour of house, cover “Facility tour checkpoints” per Intake checklist
- F. Case Management Procedures:
 1. Check file for completed forms in proper order, including additional family intake forms if needed.
 2. Complete “Housing Stabilization Plan”. Have resident sign any additional releases that may be required
 3. Make arrangements for priority needs based on Self Sufficiency Matrix and client dreams: Complete GED; Birth certificate &/or Social Security card; Resume &/or Personal data card; Storage/moving of personal belongings; Physical &/or mental health appointments; Resume/personal data card; Transportation for job search or employment; reinstatement of driver’s license.
 4. Give residents the Search form, and explain how to contact the temporary job agencies.
 5. Document summary of case management meeting in resident’s file on Captain.
 6. Complete data entry in the HMIS database and Captain database.

06.03 PROGRAM: TREATMENT/CASE PLAN

Policy: Newcap shall have an established procedure to develop individual case plans.

Procedure:

- A. The Case Plan is developed, jointly with the resident, within 72 hours of the initial intake with client consent
 - a. Case management is strongly encouraged and will be offered daily to short term housing residents
- B. Case Plan is individualized to the specific needs of each resident. It outlines:
 1. Residents perception of their needs and steps they agree to take in resolving the problem
 2. Social services needed by the residents and expected duration of social services
 3. Goals/steps needed for achieving desired dreams

06.04 PROGRAM: PROGRESS GUIDELINES

Policy: Newcap shall recognize progress made by residents toward completion of the program.

Progress shall be determined by successful completion of assignments, goals met, treatment plans followed and positive interaction with case manager(s) and other staff.

Procedure:

- A. Individual goals and treatment plans shall be developed with each resident with resident consent
- B. Case Management meetings shall be held weekly but offered daily on an as needed basis for staff and residents to review and document progress made on individual goals and treatment plans, and make necessary modifications

06.05 PROGRAM: LENGTH OF STAY

Policy: Newcap short term housing facilities

Procedure:

- A. Length of stay will be site specific.
 1. The Center for Youth will follow county, state, and federal guidelines for the length of time that the minor under the age of 18 can stay at the facility. Staff will work with the youth to establish a safe exit strategy whether that be reunification or placement with another family member in accordance with state,

local, and federal guidelines.

2. The Center for Advocating, Believing, and Achieving (CABA) establishes exit plans on a case by case basis, dependent on the individual household needs and barriers. While there is not a time limit for a households' stay, families will be encouraged to work with the staff members regularly on identifying a safe and stable place to exit to.

06.06 PROGRAM: RESIDENT CURFEW

Policy: Newcap shall have an established curfew for short term housing residents.

Procedure:

A. Curfew will be site specific. Residents will be notified of the curfew time at program entry.

1. The Center for Youth will have a curfew of 9:00PM

2. The Center for Advocating, Believing, and Achieving (CABA) will have a curfew of 11:00PM

B. Exceptions to curfew will be made for employment, child care pick up, emergencies, religious events, after school activities, extra-curricular school activities such as sports, and holidays

1. Proof of employment, child care pick up, or religious event may be requested

C. Overnight passes will only be granted for extenuating circumstance and curfew extensions will be on a case by case basis, approved by short term housing staff

06.07 PROGRAM: EDUCATION

Policy: Newcap shall have an established working relationship with local school districts and McKinney Vento services to ensure that school aged children have access to education

Procedure:

A. Staff will refer all school aged children to the local McKinney Vento liaison for school enrollment, transportation, school supplies, and other eligible activities

B. Staff will collaborate and coordinate with the local McKinney Vento liaison for any school based concerns such as but not limited to: attendance, transportation, tutoring services, career planning, etc.

06.08 PROGRAM: RESIDENT RECORDS AND RECORD RETENTION

Policy: Personnel shall abide by all Newcap Policies regarding resident records and their retention.

Procedure:

A. Case Records: Social Service records are maintained primarily for the following purposes:

1. Providing Effective Service - Record all work done with and for residents. They are essential to current case planning and decisions and may have value for further work with residents

2. Service Documentation - Funding, review and advisory organizations demand documentation of the work done. Records provide tracks to the purposes of the program, and to the use of funds

3. Public Relations and Fundraising - Effective public relations and fundraising depend upon clear and honest portrayal of the type and scope of program being rendered

4. Organizational Accountability - Records are maintained to assess the effectiveness of current program and to assist in strategic planning for the future

5. Historical Record - A historical record of the program or institution will be maintained, primarily from the key documents of the work accomplished

6. Research - Case files and other materials may have value in programmatic research whether generated within Newcap or by outside organizations

B. Types of Records & Retention - The records generated in social service programs/institutions will fall into

the following broad categories:

1. Administration records: include general correspondence, financial, personnel, and property materials
2. Organizational records are those generated in relation to the organizational structure and its relationship to the outside community. Including advisory minutes, community reports, historical documents, statistics, etc. These materials will be kept permanently
3. Operational records are relevant to current operations, like forms for the day-to-day operations, such as medication, and incident logs, and intake/exit records. Destroy after one year
4. Resident Records of service to residents or resident groups (families) will be retained for a minimum of seven years following the last resident contact. At minimum these must include identifying information, dates of service, presenting needs, and social services given

C. Summary of Record Retention Requirements:

1. To be kept permanently:
 - a. Organizational Records
 - b. Resident Records pertaining to: Residential care given to minors; as required by law
2. To be kept seven years:
 - a. Resident case records (with exceptions as noted)
4. To be kept One Year:
 - a. Operational Records

C. All records, including electronic records, are kept in a safe, secure and locked fashion. Access is limited to authorized personnel. All transferred records are confidentially listed as to the date of transfer and storage destination

D. Requirements of Federal, state, or county law, licensing or accreditation bodies with regard to handling and retention of records, will take precedence over the minimum requirements in this policy

06.09 PROGRAM: GRIEVANCE POLICY

Policy: Newcap shall ensure that every resident is treated with respect and fairness.

Procedure:

A. Newcap staff will ensure residents are provided with a copy of the grievance policy (Addendum 2).

B. If a resident decides to file a grievance they must follow the process as laid out on the grievance document and described below.

1. Notice of Denial/Termination

- Newcap must be provide a written copy of the notice of denial, provide the reasons and state that the participant has the right to request an informal hearing.

2. Request for Informal Review

- Upon receipt of the notice, the applicant/participant must submit a written request within 10 days from the date of the letter. This procedure must also be stated in the notice of denial that is sent to applicant/participant.

3. Scheduling Informal Hearing

- Once Newcap receives the written request (within the 10-day period), a review will be scheduled within 20 days. The applicant/participant will be notified in writing of the date and time of the review/hearing.

4. Results of Informal Hearing

- The Hearing Officer (someone other than the person who made or approved the decision and their subordinates) must render their decision within 15 days and notify the applicant/participant

in writing.

5. Failure to Request an Informal Hearing

- If the applicant/participant does not request an Informal Hearing in writing within the specified time, the decision to deny/terminate the applicant/participant is final.

C. The purpose for an Informal Hearing is to consider whether the staff members' decision(s) regarding the applicant/participant is in accordance with program rules and regulations.

D. Families may present oral or written objections and dispute criminal records. Before the hearing, the family has the opportunity to examine the documents directly relevant to the hearing. Documents include records and regulations. The family may copy the documents at its own expense.

06.10 PROGRAM: CONFIDENTIALITY POLICY

Policy: No information about individuals receiving services will be disclosed outside of the organization except when informed written consent has been obtained from the resident.

Procedure:

A. Newcap's Release of Information (ROI) form contains:

1. Resident's name
2. The specific information that is to be released
3. Name of the person or agency the information will be released to
4. The date and time limit and signature of resident

B. The ROI form is used as evidence in resident files

C. Release of Records under Court Order

1. Newcap is the owner and controller of all resident records. No records may be removed from Newcap premises or transmitted to other parties without specific approval by Chief Operating Officer, Director of Housing, and/or the Supervisor
2. In the event that Newcap resident records are required by order of a court of competent jurisdiction, when good cause for such disclosure has been determined by the court, the records which have been subpoenaed by the court shall be delivered to the court, on the date requested, only by the Supervisor or other staff as designated in writing

D. Information to the Resident

1. Newcap may be required by state or municipal law to disclose to the resident information contained in his/her own record. Information disclosed should be limited to that which is included in the formally completed and approved case record. The formal case record should contain factual information, not informal case manager notes and/or casual observations. Information provided by other agencies should not be shared, as it is not the property or responsibility of Newcap

E. When there is evidence, information may be released without resident consent only:

1. When there is a real danger that withholding information will be harmful to the resident, others, or to other Newcap programs
2. Under circumstances consistent with Newcap, Social Work Code of Ethics, HIPPA guidelines, and applicable law
3. When there is obvious or suspected child abuse, including sexual abuse. Newcap will comply with all state and municipal laws requiring reporting to governmental agencies of instances of child abuse. Failure to comply with such laws can result in criminal sanctions
4. Information is reported to legally specified government agency as required by law
5. When case material is used for research, teaching, and public interpretation, it is disguised to ensure

privacy

- F. All Newcap resident records are confidential. They are kept in locked files and/or password-protected computer programs, accessible only by staff

06.11 PROGRAM: RESIDENT RIGHTS

Policy: Staff will review the Resident Rights Statement (Addendum 3) with residents during intake. Once resident understands the statement they will be asked to sign the statement for their case file.

Procedure:

- A. Residents will sign the Residents Rights Statement at intake.
- B. Residents will be provided a copy of the Resident Rights Statement.
- C. A signed copy of the Residents Rights Statement will be kept in resident files.

06.12 PROGRAM: MEDICAL CARE FOR RESIDENTS

Policy: Newcap shall ensure that residents shall receive adequate medical care.

Procedure:

- A. Newcap staff will work in collaboration with Newcap Community Health Services (CHS) to provide physical and mental health services including AODA counseling
- B. Newcap staff will make recommendations/referrals for medical care in situations when CHS is unable to assist or not an appropriate referral
- C. Medications:
 - 1. Residents shall be responsible for the taking of their own medications; staff will not assume responsibility for administration of medications
 - 2. All medications are to be securely locked in the appropriate location
 - 3. Staff will not distribute medications of any type such as but not limited to antacids, aspirin, etc.

06.13 PROGRAM: RESIDENT FINANCES

Policy: Newcap shall encourage residents to work with Newcap's Financial Capabilities program

Procedure:

- A. Residents will be referred to Newcap's Financial Capabilities program with resident consent
 - 1. Staff will find alternative financial education courses in the event that Financial Capabilities is not an appropriate referral

06.14 PROGRAM: CRISIS MANAGEMENT POLICY

Policy: Newcap understands the seriousness of correctly handling all crisis situations. Once identified the situation should be handled in a timely and professional manner.

Procedure:

- A. Severely mentally ill
 - 1. Make sure the resident is calm and comfortable. Assess situation and obtain background information from resident
 - 2. Call the Crisis Center at 920-436-8888 and explain the situation, wait and follow the instruction of mental health professional
- B. Under the influence of drugs and/or alcohol
 - 1. Assess situation violent or nonviolent: If violent call 911
 - 2. Based on personnel observation of resident, make a decision to either

- a. Call police to transport resident to emergency room
 - b. Ask resident to find alternative living arrangements within the next 2 hours
- C. If Resident is threatening suicide
 - a. Assess current situation
 - b. Call the Crisis Center at 920-436-8888 explain the situation, wait and follow directions from them
 - c. If staff feels the resident is suicidal call 911 so local law enforcement can assess resident and take the proper legal steps
- D. Threatening to hurt self or others
 - a. Have all other residents remove themselves from the area of the person that is making threats. Call 911 immediately for assistance
- E. Victims of violence or sexual assault
 - a. Call 911 to report the incident to proper authorities. Follow their instructions
 - b. Refer to the local domestic violence agency and sexual assault center when requested by the resident

06.15 PROGRAM: INCIDENT AND INJURIES POLICY

Policy: Newcap understands the seriousness of correctly handling all incidents or injuries. Once identified the situation should be handled in a timely and professional manner.

Procedure:

- A. Incident or Injury
 - 1. Assess scene to ensure scene safety
 - 2. Assess situation to determine the extent of injury
 - 3. Seek medical assistance if needed
 - 4. If able, have injured party, and all witnesses fill out incident report
 - 1. Incident Report can be obtained from N: drive or from Human Resources
 - 5. Provide documentation to Supervisor or Director of Housing who will provide incident report to the Chief Operating Officer

06.16 PROGRAM: NEIGHBORHOOD CONCERN

Policy: Newcap understands the seriousness of correctly handling all community and neighborhood concerns. Once identified the situation should be handled in a timely and professional manner.

Procedure:

- A. When a neighbor presents an issue or concern staff will provide a “Neighborhood Contact Form” (Addendum 6) to the neighbor for documentation
 - 1. Once form is completed it should be turned into the Supervisor who will provide follow up and report back to the Director of Housing
 - 2. Follow up will occur within 2 business days

ADDENDUM 1: Employee Safety Manual



Employee Safety Manual

Newcap

A Guide to Safety Policies & Procedures to Support a Safety-Conscious Work Environment

Provided by: Marsh & McLennan Agency

Commitment to Safety

Newcap recognizes that our people drive the business. As the most critical resource, employees will be safeguarded through training, provision of appropriate work surroundings, and procedures that foster protection of health and safety. All work conducted by Newcap's employees will take into account the intent of this policy. **No duty, no matter what its perceived result, will be deemed more important than employee health and safety.**

Newcap is firmly committed to the safety of our employees. We will do everything possible to prevent workplace accidents and we are committed to providing a safe working environment for all employees.

We value our employees not only as employees but also as human beings critical to the success of their family, the local community, and Newcap.

Employees are encouraged to report any unsafe work practices or safety hazards encountered on the job. All accidents/incidents (no matter how slight) are to be immediately reported to the supervisor on duty.

A key factor in implementing this policy will be the strict compliance to all applicable federal, state, local, and company policies and procedures. Failure to comply with these policies may result in disciplinary actions.

Respecting this, Newcap will make every reasonable effort to provide a safe and healthful workplace that is free from any recognized or known potential hazards. Additionally, Newcap subscribes to these principles:

1. All accidents are preventable through implementation of effective Safety and Health Control policies and programs.
2. Safety and Health controls are a major part of our work every day.
3. Accident prevention is good business. It minimizes human suffering, promotes better working conditions for everyone, holds Newcap in higher regard with customers, and increases productivity. This is why Newcap will comply with all safety and health regulations which apply to the course and scope of operations.
4. Management is responsible for providing the safest possible workplace for Employees. Consequently, management of Newcap is committed to allocating and providing all of the resources needed to promote and effectively implement this safety policy.
5. Employees are responsible for following safe work practices and company rules, and for preventing accidents and injuries. Management will establish lines of communication to solicit and receive comments, information, suggestions and assistance from employees where safety and health are concerned.
6. Management and supervisors of Newcap will set an exemplary example with good attitudes and strong commitment to safety and health in the workplace. Toward this end, Management must monitor company safety and health performance, working environment and conditions to ensure that program objectives are achieved.
7. Our safety program applies to all employees and persons affected or associated in any way by the scope of this business. Everyone's goal must be to constantly improve safety awareness and to prevent accidents and injuries.

Everyone at Newcap must be involved and committed to safety. This must be a team effort. Together, we can prevent accidents and injuries. Together, we can keep each other safe and healthy in the work that provides our livelihood.

Chief Executive Officer - Newcap

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The primary responsibility of the employees of Newcap is to perform his or her duties in a safe manner in order to prevent injury to themselves and others.

As a condition of employment, employees **MUST** become familiar with, observe, and obey Newcap's rules and established policies for health, safety, and preventing injuries while at work. Additionally, employees **MUST** learn the approved safe practices and procedures that apply to their work.

Before beginning special work or new assignments, an employee should review applicable and appropriate safety rules.

If an employee has any questions about how a task should be done safely, he or she is under instruction **NOT** to begin the task until he or she discusses the situation with his or her supervisor. Together, they will determine the safe way to do the job.

If, after discussing a safety situation with his or her supervisor, an employee still has questions or concerns, he or she is required to contact the Safety Coordinator, Bob Detrick.

NO EMPLOYEE IS EVER REQUIRED to perform work that he or she believes is unsafe, or that he or she thinks is likely to cause injury or a health risk to themselves or others.

Employee Safety Rules

1. **Conduct:** Horseplay, practical jokes, etc., are forbidden. Employees are required to work in an injury-free manner displaying accepted levels of behavior. Conduct that places the employee or others at risk, or which threatens or intimidates others, is forbidden.
2. **Drugs and Alcohol:** Use and/or possession of illegal drugs or alcohol on company property or on company time are forbidden. Reporting for work while under the influence of illegal drugs or alcohol is forbidden.
3. **Housekeeping:** The following areas must remain clear of obstructions:
 - Aisles/exits
 - Fire extinguishers and emergency equipment
 - All electrical breakers, controls, and switches

You are responsible to keep your work area clean and safe. Clean-up several times throughout the day, disposing of trash and waste in approved containers, wiping up any drips/spills immediately, and putting equipment and tools away as you are finished with them.

4. **Injury Reporting:** All work-related injuries must be reported to your supervisor immediately. Failure to immediately report injuries can result in loss of Workers' Compensation benefits. After each medical appointment resulting from a work-related injury, you must contact your supervisor to discuss your progress. You must also give your supervisor any paperwork that you received at the appointment.

Newcap provides Transitional Return to Work (light duty) jobs for persons injured at work. Transitional work is meant to allow the injured employee to heal under a doctor's care while she/he remains productive. Employees are required to return to work immediately upon release.

5. **Personal Protective Equipment (PPE):** Inspect PPE prior to each use. Do not use damaged PPE. You are required to maintain and keep PPE clean.
 - a) Safety Glasses—must be worn at all times in designated areas in this facility. (To date, we have no designated areas)
 - b)
 - c) Hard Hats—must be worn at all times in designated areas. (To date, we have no designated areas).
 - d) Gloves—work gloves must be worn at all times when handling sharp or rough stock, welding, or performing other jobs, which could cause hand injuries. Synthetic gloves must be worn when handling chemicals.
 - e) Respirators—only employees trained and authorized to use respirators are allowed to do so.
 - f) Hearing Protection—is required in areas where noise exposure is more than 90dBA (85dBA if you already have experienced a hearing loss).
6. **Equipment Operation:** You must specifically be trained and authorized by your supervisor to operate the following:
 - Company vehicles,
 - Forklifts,
 - Machine and power tools,
 - Paint sprayers,

When operating machines: do not wear loose clothing, long hair should be tied up and back, remove jewelry, and sleeves should either be rolled all the way up, or all the way down.

Employee Safety Rules

Never operate damaged or defective equipment. Turn the machine off and report it to your supervisor immediately.

Never tamper with, remove, or deactivate machine guards or controls designed to ensure safe operations. Never reach into an operating machine or moving machine part.

7. Ladders:

- Inspect all ladders prior to each use;
- Ladders must be placed on secure footing;
- Only one person is allowed on a ladder at a time;
- Never stand on the top two steps of a stepladder;
- Always maintain 3-point contact when working on ladders;
- Never reach beyond arm length when working on a ladder; and
- Never use metal ladders when working on or around electrical equipment.

8. Lockout / Tagout—prior to working on any machinery when guards are removed, every energy source (electrical, hydraulic, chemical, mechanical, etc.) must be deactivated, stored energy dissipated, and the control locked in the off (safe) position.

Never remove or tamper with a lockout performed by another employee or contractor. A lockout could consist of a lock applied to a control such as a switch, breaker, or valve. A tag containing words such as “DANGER - DO NOT OPERATE” may also be used for lockout. If you see the lock, the tag, or both applied to an energy control device it means, “Keep your hands off.”

9. Hazard Communication:

1. All Newcap employees have a right to know what chemicals they work with, what the hazards are and how to handle them safely.
2. Safety Data Sheets (SDS) are documents provided by the supplier of a chemical. SDSs detail the chemical contents, associated hazards and general safe handling guidelines. At Newcap, the SDS collection is located at: **Online on the N:drive , see Safety Folder/SDS**. Employees are free to utilize the SDS as needed.
3. General rules for handling chemicals:
 - Read all label warnings and instructions.
 - Follow instructions for quantity. More does not mean better.
 - Minimize contact with chemicals. Use double layer cloths or gloves to protect your skin and keep your face clear of the area to reduce inhalation.
 - Always wash your hands after handling chemicals.
 - If a chemical enters your eye(s) immediately hold open the injured eye(s) and rinse it/them with clean, cool water for 15 minutes. Then be sure to report the injury immediately.
 - Any questions or concerns regarding chemicals should be reported to your jobsite manager and Human Resources.

Employee Safety Rules

4. All chemical containers must be labeled to identify contents and hazards. Standardized pictograms, denoted by red frames, will be required on all chemical labels regardless of whether the shipment is domestic or international.

Health Hazard  • Carcinogen • Mutagenicity • Reproductive toxicity • Respiratory sensitizer • Target organ toxicity • Aspiration toxicity	Flame  • Flammables • Pyrophorics • Self-heating • Emits flammable gas • Self-reactives • Organic peroxides	Exclamation Mark  • Irritant (skin and eye) • Skin sensitizer • Acute toxicity (harmful) • Narcotic effects • Respiratory tract irritant • Hazardous to ozone layer	Gas Cylinder  • Gases under pressure	Corrosion  • Skin corrosion/burns • Eye damage • Corrosive to metals	Exploding Bomb  • Explosives • Self-reactives • Organic peroxides
			Flame Over Circle  • Oxidizers	Environment*  • Aquatic toxicity *under EPA jurisdiction	Skull & Crossbones  • Acute toxicity (fatal or toxic)

- 10. Confined Space Entry** – Only trained and authorized employees are permitted to enter confined spaces. If you believe that your job requires confined space entry, contact your supervisor prior to undertaking the work. Permit Required Confined Space entry requires the use of ventilation, air monitoring and documentation. **Permit Required** Confined spaces are areas not meant for human occupancy, have limited means of entry/exit, and have electrical, chemical, thermal, atmosphere, or entrapment hazards.

11. Emergencies:

- In the event of any serious injury or fire, call 911. Send someone to the facility entrance to meet the Fire Department, if safe to do so. If in doubt, call 911.
- Upon discovering a fire, or fire alarm initiates, alert others in immediate danger and initiate facility-wide fire alarm **(All Page and announce there is a fire in the building, evacuate to Building parking lot immediately!)**
- When the evacuation signal is given, all employees should immediately turn off equipment, close doors, and evacuate to their designated evacuation areas. Attendance will be taken to account for all personnel. Stay together in the group until further instructions are received.
- Do not attempt to fight any fire which is uncontained, too hot, too smoky, or if you are too frightened.

To use a fire extinguisher, remember PASS:

- P = Pull (the safety pin)
- A = Aim (at the base of the fire)
- S = Squeeze (the lever)
- S = Sweep (side to side)

If you use a fire extinguisher, remember:

- Stay low,

- Keep yourself between the fire and an exit,
- Do not turn your back on a fire
- **Immediately leave the area after discharging the fire extinguisher, the chemical should not be inhaled**
- Immediately report the use to your supervisor.

12. Employee Safety rules

Do not touch blood or any other bodily fluid during or following an incident. If you are trained to administer first aid, gloves and other barriers are located with the first aid equipment. If you think that you have been exposed to bodily fluid, notify your supervisor immediately.

13. Company Vehicles and Driver Safety:

- Only employees authorized by Newcap are permitted to operate Newcap vehicles.
- No 'side trips' or personal use of company vehicles are permitted.
- Seat belts/shoulder harnesses must be worn whenever the vehicle is in motion.
- All local and state traffic regulations and signs must be followed.
- No unauthorized riders, hitchhikers, etc., are allowed.
- All moving violations resulting in points being assigned to your license must be reported to your supervisor.
- Driving while under the influence of alcohol or other drugs is forbidden.

Employees driving their personal vehicles on company business must follow steps c through g, shown above.

14. Electrical Safety:

- Never operate or tamper with the electrical main switch or breakers. You are authorized only to operate switches/disconnects on/for individual machines.
- Report all electrical problems and suspected problems to your supervisor.
- All junction boxes, control boxes, connections, and other wiring must have covers securely installed to prevent accidental contact.
- Inspect all plugs, cords, and portable equipment prior to use.
- Report any damaged electrical equipment to your supervisor. **Only authorized personnel are permitted to make repairs.**
- Extension cords are to be used only for temporary applications. Never stretch cords across aisles or areas where others may trip over them. Do not attach extension cords to the building or run them under rugs/mats or through walls.
- Any personal electrical devices must be approved by Newcap prior to use.

15. Lifting:

- If you need help moving material, request assistance. **Do not attempt to lift more than 50 Lbs. by yourself**
- When you lift, use your leg muscles by squatting close to the load, preserving the curve in your back, spreading your feet, and lifting with your legs, keeping the load close to your body. **Make sure your travel path is clear of obstacles prior to lifting.**

c) When you turn holding an object, move your feet, and do not twist.

16. Staying Safe - Report any unsafe conditions or situations to your supervisor. If you have suggestions on improving any aspect of safety in the facility, discuss it. If you are unsure of how to operate a piece of equipment or complete an assignment, **ask for help**. Asking for help when you are unsure reduces the chance of injury.

These rules are established to help you stay safe and injury free. Violation of the above rules, or conduct that does not meet minimum accepted work standards, will result in discipline, up to and including discharge.

When working at a customer location, employees are required to follow the above rules, as well as all customer rules and procedures, and work in a manner that reflects positively on the company. Before operating any equipment at a customer location, permission must first be secured from the customer contact.

Safety Coordinator Responsibilities

Bob Detrick is designated as Newcap's Safety Coordinator. Energy Auditor's are designated as the Associate Safety Coordinators. The Safety Coordinator is responsible for implementation and compliance with the Safety and Health Policy of Newcap and is accountable for results as measured by criteria, such as incident rates.

Other responsibilities include:

1. Resolve questions, approve and/or recommend necessary expenditures to correct unsafe conditions.
2. Make regular shop, warehouse, office and ground-job site tours, and safety inspections to determine if safe work practices are being observed; ensure that unsafe conditions do not exist.
3. Actively participate and follow the safety and health programs.
4. Plan, coordinate, perform, or delegate all safety training and testing given to supervisors and employees. Review results to be sure they are satisfactory. Note: The VP of Energy Services will maintain appropriate training and testing safety records and coordinate the training of new employees assigned to the weatherization department.
5. Personally perform safety inspections, and review safety inspection reports and unsafe conditions reported by supervisors, employees, or others. Make or obtain corrections as required to maintain a safe workplace and ensure compliance.
6. Conduct regular safety meetings with employees to promote safety awareness and compliance with the Safety and Health Policies.
7. Ensure safety awareness among workers through regular meetings.
8. Ensure compliance with safe work practices and Newcap's safety rules. Take appropriate disciplinary action to ensure compliance. This includes safe working procedures in weatherization, the warehouse, and office operations.
9. Investigate accidents and assist with completion of accident report forms when required.
10. Review reports of first aid incidents and reportable injuries to determine possible preventative actions. Take immediate corrective actions as required.
11. Ensure that specific programs (i.e. hazard communication, protection from bloodborne pathogens, hearing conservation, forklift safety/operator certification) are implemented and complied with consistently.

1. Employees of Newcap are required to follow all client safety and security procedures during client visits.
2. If your client host does not advise you regarding safety hazards consider the following:
 - Emergency exit location(s);
 - Keep your eye on the path you are walking and avoid any tripping/slipping hazards. When on stairs maintain three point contact (hand on rail and feet on stairs);
 - When visiting manufacturing or construction sites, eye protection, hearing protection, and hard hats are frequently required. Ideally, this equipment will be in the possession of the Newcap employee and not provided by the client.

If you will be touring a factory or construction site, dress appropriately. Wear shoes that support your feet and are slip resistant. Avoid clothing that is either constrictive or too loose; loose clothing be get caught in machinery or other equipment.

Reporting Injuries

Any work-related injury or suspected injury must be reported immediately to your supervisor and to Human Resources. A **Report of Injury or Illness** form must be completed. Failure to promptly report an injury may result in disciplinary action.

1. Human Resources will issue a **Return to Work Evaluation Form** for the injured employee to take to the treating medical practitioner. The employee must return this form to Human Resources by the next business day.
2. After each practitioner appointment, the employee must report to his/her supervisor and Human Resources to review his/her progress.
3. Newcap provides light duty work for employees recovering from injury. Employees are required to return to light duty work immediately upon release.
4. An accident investigation will be conducted to determine the root cause of the accident. The injured employee will be asked to participate in the investigation.
5. Employees are urged to report hazardous conditions and “near miss” incidents to their supervisors before injuries result.
6. Any attempt to defraud Newcap with a false workers’ compensation claim will result in disciplinary action. The case can also be referred to the district attorney for possible prosecution.

Emergency Action Plan

GENERAL EMERGENCY GUIDELINES:

- Stay calm and think through your actions
- Know the emergency numbers:
 - Fire/Police/Ambulance 911
 - Internal Emergency Number – PA system if equipped
 - Human Resources - **Candy LaCount 834-4621 Ext. 1107**
 - Page – **Announce concern and location**
 - Operator “0”
- Know where the stairwell exits are located
- In the event of any emergency, do not take elevators, use the stairs
- Do not hesitate to call/alert others if you believe that an emergency is occurring—you will not “get in trouble.”
- Know where emergency equipment is located: **(First Aid Kits, for now. AED possible in future-will list)**

FIRE EVACUATION

- Employees will be notified of a fire alarm either by the fire alarm system or by a paged announcement.
- Upon becoming aware of a fire alarm, employees should immediately evacuate the building using the closest stairs. Do not delay evacuation to get personal belongings or to wait for co-workers. Also, all doors should be closed as the last person passes through. (Note: never use elevators during fire alarm situations).
- Supervisors should be the last persons to leave the area. Check in conference rooms, lavatories, and offices to be sure that all personnel have evacuated.
- Any employee having a mobility, visual, hearing, or other condition, which may hinder them from becoming aware of an emergency or evacuating, should request special assistance through Human Resources.
- Upon exiting the building, personnel should report to the **Buildings rear parking lot** for further instruction and a headcount.
- If any employee is missing, an immediate report should be made to **any available supervisor**, who will in turn report to the first available fire department officer.
- Employees should stay together in a group so that periodic updates on the situation can be issued.
- The order to re-occupy the building will be issued by **an “All Clear Notification” This decision will take place as authorized by the responding fire commander.** The CEO, HR Director, VP of Operations or Safety Coordinator will give the okay after high agreement is reached, and city officials agree that the building is safe to re-occupy.

2. EMPLOYEE DISCOVERING A FIRE:

- Alert other persons in the immediate hazard area.
- Activate a fire alarm or page an emergency announcement.
- If you have been trained, you can decide to use a fire extinguisher following these instructions:
 - P=Pull the safety pin
 - A=Aim the nozzle at the base of the fire
 - S=Squeeze the operating lever
 - S=Sweep side to side covering the base of the fire

**When using a fire extinguisher always stay between the fire and an exit; stay low and back away when the fire is extinguished.*

Never feel that using a fire extinguisher is required. If the fire is too hot, too smoky or you are frightened, evacuate. **Once extinguisher has been used, evacuate the area immediately. Extinguisher dust should not be inhaled*

Notify the fire department where the emergency is located. He/she will relay this information to the fire department.

Emergency Action Plan

3. MEDICAL EMERGENCY: (chest pains, loss of consciousness, fall from a height, etc.)

- Upon discovering a medical emergency, call 911.
- Call the operator ("O") and report the nature of the medical emergency and location.
- Stay with the person involved being careful not to come in contact with any bodily fluids, unless properly trained and equipped.
- Send two persons (greeters) to the building entrance/s, to await the fire department. (One person should call and hold an elevator car. Often two fire department units will arrive, so the second greeter should wait at the entrance to receive the second unit while the first greeter escorts the fire dept. personnel to the scene).
- Employees in the immediate vicinity of the emergency, but not directly involved, should leave the area.
- Human Resources will make any necessary notifications to family members of the person suffering the medical emergency.

4. SEVERE WEATHER:

- The **Administrative Assistant** or Safety Coordinator will monitor a weather situation. If a severe weather report is issued, she/he will immediately page the following announcement: **There is severe weather approaching, All workers evacuate to the basement Furnace Room Immediately.** (This announcement will be repeated three times).
- Employees will immediately shut down office equipment and will proceed to the basement furnace room. Failure to do so will result in disciplinary action.
- When the severe weather warning is cancelled, the Safety Coordinator/ VP/CEO or site administrative lead person will announce that it is safe to return to office areas.

5. WORKPLACE VIOLENCE:

- Any employee who feels that she/he has been threatened should immediately report their concern to their supervisor and to Human Resources.
- If any person is observed exhibiting threatening behavior or making threatening statements, the person discovering the situation should warn others in the area and immediately notify Human Resources and stay away from the person exhibiting threatening behavior.
- Depending upon the level of concern, the **Green Bay police department phone number is 920-448-3200**, should be called immediately. **If urgent, dial 911.**
- Never attempt to confront any person exhibiting threatening behavior.

*If you have reason to believe that events in your personal life could result in acts of violence occurring at work, you are urged to confidentially discuss the issue with Human Resources so that a prevention plan can be developed.

Emergency Contact Information

GREEN BAY FIRE DEPARTMENT:

TELEPHONE: 920-448-3280

GREEN BAY POLICE DEPARTMENT:

TELEPHONE: 920-448-3200

EMERGENCY MEDICAL SERVICES (AMBULANCE):

TELEPHONE: 911

HOSPITAL: Green Bay - Bellin Health Hospital

744 S. Webster Avenue. Open 7 days a week, 24 hours a day.

TELEPHONE: 920-433-3500

DOCTOR: _____ ADDRESS: _____

TELEPHONE: _____

JOBSITE TELEPHONE NUMBERS:

PROJECT NAME / NUMBER:

ADDRESS: _____

TELEPHONE: _____

SITE SUPERINTENDENT: _____

HOME TELEPHONE: _____

CLIENT CONTACT: _____

OFFICE TELEPHONE: _____

HOME TELEPHONE: _____

Fire Prevention Plan & Electrical Safety

1. Smoking is not allowed in any interior area of the building. Smoking is only allowed in designated exterior smoking areas.
2. No candles or open flames are allowed within the facility.
3. Hot work: contractors performing hot work (welding, grinding, flame cutting, brazing, soldering, etc.) must contact **their supervisor** for approval prior to the start of the work.
4. Only space heaters provided by the company are approved for use within the facility. Employees using space heaters are responsible to turn the heater off when leaving their desk for extended periods of time (lunch, end of the workday, etc.).
5. No flammable chemicals are allowed to be stored inside the building at any time, **unless stored in NFPA approved flammable container storage lockers.**
6. **If you feel that there is a work-related need to use a flammable chemical, be sure to read the directions and follow the information listed in the SDS. If you need further assistance, contact the safety manager for guidance.**
7. Electrical safety:
 - With the exception of independently fused multi-tap cords for computers, extension cords are not allowed.
 - Keep electric cords out of areas where they will be damaged by stepping on/kicking them.
 - Turn electrical appliances off with the switch, not by pulling out the plug.
 - Turn all appliances off before leaving for the day.
 - Radios/tape/CD players and PDAs are the only personal electrical devices allowed to be used in offices/cubes. These devices must be in good repair. NEWCAP reserves the right to instruct you to remove personal electrical devices at any time.
 - **Only licensed electricians are allowed to remove the cover on an electrical panel. Prior to removal, power to the panel must be shut off and locked and tagged out of service.**
 - Never run cords under rugs or other floor coverings.
 - Any electrical problems should be reported immediately to **Matt Dimmer.**
8. The following areas must remain clear and unobstructed at all times:
 - Exit doors,
 - Aisles,
 - Electrical panels, and
 - Fire extinguishers.

Return to Work Program

It is our goal to prevent work-related injuries from happening. We are always concerned when one of our employees is injured or ill due to a work-related condition. We believe that such absences cost both Newcap and its employees. We want our injured employees to get the best possible medical treatment immediately to assure the earliest possible recovery and return to work.

Newcap has a workers' compensation program available for employees who have suffered work-related injuries. The program's administrator will determine, based upon their guidelines, whether you are eligible for wage loss or medical expenses under that program.

Newcap wants to provide meaningful work activity for all employees who become unable to perform all, or portions, of their regular work assignment. Thus, we have implemented a Return to Work program, which includes transitional or light duty work. The Return to Work program is temporary, not to exceed six months.

Employee Procedures

- All work-related injuries should always be reported immediately to your supervisor no later than the end of the shift on which the injury occurs.
- **In the event of an emergency, such as a severe bodily harm, immediately dial 911.**
- **If the injury does not require immediate emergency care, after notifying your supervisor of your injury, call the Risk Administration Services Triage Nurse (RAS) at 1-844-332-5238. A Registered Nurse (R.N.) will evaluate your injury and give instructions for care, or refer you to a medical provider for advanced care.**
- If a **post-accident drug screen** is not performed the **same day** as the injury, the employee will only be paid up to one hour while taking time out to have the drug screen sample collected.
- You must complete and sign a Report of Injury or Illness form.
- **In the event advance medical care is necessary as dictated by the RAS Nurse (stiches, x-rays, etc.),** the injured employee must advise their supervisor that they are seeking treatment and obtain a Return to Work Evaluation form. Regardless of the choice of physicians, the Return to Work form must be completed for each practitioner visit. Newcap will not accept a general note stating that you are only to be off of work.
- Under this program, temporary light duty work is available for up to sixty (60) days (with a review of your progress every 30 days) while you are temporarily unable to work in your regular job capacity. Transitional or light duty work beyond sixty (60) days, up to a maximum of six (6) months, will be evaluated on a case-by-case basis.
- If you are unable to return to your regular job, but are capable of performing transitional duty, you must return to transitional duty. Failure to do so will result in your not being eligible for full disability benefits under the workers' compensation program, and may result in disqualification for certain employee benefits and, in some cases, be a basis for termination.
- Employees who are unable to work and whose absences Newcap approves must keep us informed on a weekly basis of their status. Failure to do so will result in a reduction in benefits available and discipline, up to and including termination from employment.
- If you are unable to return to your regular job or transitional duty, your absence must be approved under the Family Medical Leave Act (FMLA) program. For this purpose, you need to complete a Family Medical Leave Request form and submit it to the Human Resources Department. You must also have your practitioner complete both the Return to Work Evaluation form and Return to Work Request / Physician's Authorization form.
- Employees who are not eligible for leave under FMLA must return to light duty or regular work if at all possible. If you are unable to return to any available work, your job position may be filled after a reasonable time. When able to do so, you will be entitled to return to a suitable position, if available and consistent with any limitations. However, you must keep us regularly informed of your status and any changes in your condition.
- Employees must provide a Return to Work form indicating they are capable of returning to full duty. Permanent restrictions will be evaluated on a case-by-case basis and relate to the performance of essential job functions. No permanent light duty positions will be created.
- Cooperate with our third-party administrator and provide accurate and complete information as soon as possible so that you receive all benefits to which you are entitled. If you have problems or concerns, please contact your Job Site Foreman and the Human Resources Department.

Hazard Communication

1. All Newcap employees have a right to know what chemicals they work with, what the hazards are and how to handle them safely.
2. **Safety Data Sheets** (SDS) are documents provided by the supplier of a chemical. SDSs detail the chemical contents, associated hazards and general safe handling guidelines. At Newcap, the SDS collection is located: [Online in the N:drive, see Safety Folder/SDS](#). Employees are free to utilize the SDS as needed.
3. General rules for handling chemicals:
 - Read all label warnings and instructions.
 - Follow instructions for quantity. More does not mean better.
 - Minimize contact with chemicals. Use double layer cloths or gloves to protect your skin and keep your face clear of the area to reduce inhalation.
 - Always wash your hands after handling chemicals.
 - If a chemical enters your eye(s) immediately hold open the injured eye(s) and rinse it/them with clean, cool water for 15 minutes. Then be sure to report the injury immediately.
 - Any questions or concerns regarding chemicals should be reported to your manager or the Safety Coordinator.
4. All chemical containers must be labeled to identify contents and hazards. Labels will include:
 - **Product Identifier:** The chemical's name and a list of the substance(s) it contains.
 - **Supplier Information:** Name, address and phone number of the chemical's manufacturer or supplier.
 - **Pictogram:** A symbol plus other graphic elements, such as a border, background pattern, or color that conveys specific information about the dangers of a chemical. Each pictogram consists of a different symbol on a white background within a red square frame set on a point (i.e. a red diamond). There are nine pictograms under the GHS. However, only eight pictograms are required by OSHA.
 - **Precautionary Statement:** One or more phrases that describe recommended measures to be taken to minimize or prevent adverse effects resulting from exposure to a hazardous chemical or improper storage or handling of a hazardous chemical.
 - **Signal words:** A single word used to indicate the relative level of severity of the hazard and alert the reader to a potential hazard on the label. The signal words used are "danger" and "warning." "Danger" is used for the more severe hazards, while "warning" is used for less severe hazards.
 - **Hazard Statement:** A statement assigned to a hazard class and category that describes the nature of the hazard(s) a chemical presents. Each hazard statement has designated a code to help for reference purposes, but the actual phrasing must appear on the label.

Office Safety:

1. Never leave file drawers open, or open multiple file drawers at once.
2. Do not stack heavy or bulky objects on top of cabinets.
3. Do not store frequently used objects above shoulder height or below knee height.
4. Never reach into office machines without turning them off and unplugging them if possible.
5. Keep your work area free of trip hazards such as storage in walkways, cords across aisles, and damaged floor coverings.
6. Inspect step stools/ladders before use. Be sure to keep a stationary object in front of you when using a step stool to provide stability.
7. Never use defective or broken equipment. Report these problems to your supervisor.

Security:

1. Always be aware of your surroundings. Keep your head up and hands out of your pockets while walking to and from your car.
2. Immediately report any suspicious activity or persons to **your supervisor and the HR Director**. And immediately report any theft to the **HR Director**.
3. When parking, remove all valuables from sight and lock car doors.
4. Do not enter an elevator car if you are concerned about other riders; instead, wait for the next car.
5. Keep all valuables (money, purse, jewelry, etc.) out of sight when at your desk. Do not bring large sums of money or other valuables into the building.
6. Secure laptop computers, PDAs, and other small electronic devices before leaving your workspace for extended periods of time (lunch, meetings, etc.).
7. If you are working alone and are in the office before or after regular business hours, on weekends, or holidays, observe these additional guidelines:
 - Be sure doors close and lock after you.
 - Turn on lights as you move through the building.
 - Always be aware of the closest telephone (do not hesitate to call 911 if you feel threatened).
 - Be sure that someone at home knows that you are at work and is expecting you to check in by a specified time.
 - As you leave the office, be sure to turn off all equipment, lights, etc., after use.
 - See WORKING ALONE POLICY Page 23 for specific details.
8. Weapons, including firearms, knives with blades longer than two inches, bow/arrow, mace, tear gas, and clubs, are not allowed on Newcap property.
9. The VP of Safety and the Deputy CEO/Executive VP of Operations, at their discretion, may choose to provide certain at-risk employees with state of Wisconsin approved pepper spray. Individuals issued pepper spray will receive training for proper usage and safety protocol. Employees must adhere to state guidelines regarding pepper spray.

Sexual Harassment Policy

Newcap does not tolerate harassment of our job applicants, employees, clients, guests, vendors, customers, or persons doing business with Newcap. Any form of harassment related to an employee's race, color, sex, religion, national origin, age, citizenship status, veteran status, or handicap is a violation of this policy and will be treated as a disciplinary matter. For these purposes, the term harassment includes, but is not limited to, slurs, jokes, or other verbal, graphic, or physical conduct relating to an individual's race, color, sex, religion, or national origin; sexual advances; requests for sexual favors and other verbal, graphic, or physical conduct of a sexual nature.

Violation of this policy by an employee shall subject that employee to disciplinary action, up to and including immediate discharge.

Sexual harassment, one type of prohibited harassment, has been defined according to Newcap guidelines as:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
- Submission to such conduct is made a term or condition, either explicitly or implicitly, of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as a factor in decisions affecting that individual's employment; or
- *Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile, or offensive working environment.*

Examples of conduct prohibited by this policy include but are not limited to:

- Unwelcome sexual flirtation, advances, or propositions;
- Verbal comments related to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation;
- Explicit or degrading verbal comments about another individual or his/her appearance;
- The display of sexually suggestive pictures or objects in any workplace location including transmission or display via computer;
- Any sexually offensive or abusive physical conduct;
- The taking of or the refusal to take any personnel action based on an employee's submission to or referral of sexual overtures; and
- Displaying cartoons or telling jokes that relate to an individual's age, race, gender, color, religion, national origin, disability, or sexual orientation.

Harassment of our employees in connection with their work by non-employees may also be a violation of this policy. Any employee who becomes aware of any harassment of an employee by a non-employee should report such harassment to his or her supervisor. Appropriate action will be taken with respect to violation of this policy by any non-employee.

If you believe that you are being subjected to workplace harassment, you should:

1. Tell the harasser that his or her actions are not welcome and they must stop, if you feel comfortable enough to do so.
2. Report the incident immediately to your supervisor/manager, the Human Resources Director.
3. Report any additional incidents that may occur to one of the above resources.

Any reported incident will be investigated. Complaints and actions taken to resolve complaints will be handled as confidentially as possible, given Newcap's obligation to investigate and act upon reports of such harassment.

Retaliation of any kind against an employee who reports a suspected incident of sexual harassment is prohibited. An employee who violates this policy or retaliates against an employee in any way will be subject to disciplinary action up to and including termination.

Considerations Following a Serious Industrial Accident

Any work-related accident resulting in serious injury or the death of an employee presents significant emotional challenges for management. Following are some guidelines, which may reduce the effects on fellow employees and minimize the impact from regulators, such as OSHA.

1. Be prepared to talk to local police officials, district attorney investigators, coroners, and OSHA compliance officers. Be aware that police and district attorneys can conduct criminal investigations. Be truthful but do not speculate or offer unsolicited opinions, information, or theories. Also be prepared for contacts from local news media. Consult with legal advisors if in doubt. (Operate under the assumption that OSHA will investigate. Take steps to be sure that your entire facility is as prepared as possible).
2. Fatalities must be reported to OSHA **within eight hours**. Any in-patient hospitalization, amputation or loss of an eye must be reported to OSHA **within 24 hours**. This report can be submitted to a local OSHA office (in phone or in person) or the central OSHA office (1-800-321-OSHA (6742) or TTY 1-877-889-5627).
3. Have a representative of your company contact the employee's next of kin to inform her/him of the circumstances. If possible, this contact should be made in person. Offer to provide transportation and/or other support. (For example, providing a Newcap representative at the hospital will convey the company's concern).
4. Get all witnesses names. If some witnesses are not employees, be sure to get full addresses and phone numbers.
5. Render safe any hazards created by the accident scene. (i.e. material that may fall, leaking chemicals, etc.). Rope off or otherwise isolate the accident scene early on to prevent it from becoming a "tourist attraction."
6. Conduct an initial investigation. If equipment and/or duties directly involved in the accident are duplicated elsewhere in the company, take immediate steps to assure that there will be no re-occurrence of the accident.
7. Take pictures to document the scene. Note anything that may help you identify specific equipment involved such as serial numbers, license plate numbers, etc.
8. Follow Newcap's procedure for bloodborne pathogens in cleaning any bodily fluid spills.
9. Consider meeting with employees in small groups to discuss, in general terms:
 - a) The serious accident that occurred.
 - b) That all the necessary steps were taken to care for the person involved.
 - c) That an accident investigation is being performed.
 - d) That all employees will be kept informed.
 - e) The availability of the Employee Assistance Program (EAP).
 - f) Provide encouragement and request that employees work safely.
10. Request your supervisors be alert for employees who may not be paying full attention to their jobs and thereby jeopardizing their own safety. During these discussions, do not discuss fault, discipline, opinions, etc.
11. If your company has a physician on contract, have him/her follow the case.

Bloodborne Pathogens



Blood and other bodily fluids can carry pathogens, which are capable of causing diseases in others. This includes HIV, which leads to AIDS and hepatitis.

1. Because we cannot tell by looking at a person if they are infected with a pathogenic disease, we must take precautions following an illness or injury when bodily fluids are released.
2. In the event of a person losing bodily fluids, stay away from the area and warn others to also do so. You can still stay close to the ill/injured person to support him/her, just be sure to stay out of contact any bodily fluids.
3. In the event that you find spilled bodily fluids, a syringe, or other medically contaminated materials, do not attempt clean up by yourself. Call **the onsite nurse, HR Director, or Bob Detrick for instructions**.

Working Alone Policy:

Working alone will not be allowed in any of the following High risk activities:

- Working from heights
- Working in confined spaces
- Working in situations requiring Lockout/Tagout
- Working with electrical (beyond changing light bulbs)
- Working with hazardous substances or materials
- Working with material under high pressure
- Working where there is a possible/suspected threat of violence
- Working in isolation from first aid services or immediate/emergency service

Working Alone – Non Hazardous Tasks:

On some occasions, workers are introduced into a situation where they are working alone. The most common examples of this as it relates to administrative staff would be:

- Doing administrative work before or after normal working hours
- Facility cleaning after hours
- HQS or Auditor inspections - offsite

During such occasions, lone workers would be required to notify someone (a responsible person/supervisor) of the fact they are going to be working alone. They must be in close proximity to a land line, or in the case of auditors and inspectors, have a cell phones and cell service, so they can get help if needed. In no case is a worker allowed to be alone without having informed someone responsible as to their current status and situation. The lone worker should tell their responsible person: where they are now, or are going to be and when, how long they are going to be there, and when they expect to depart. In addition, the lone worker must notify the responsible person whenever the dynamic changes, for instance; when they are arriving or departing from a particular location, and when they have safely arrived home, or to a location where they are no longer alone and have reached a safe destination. The goal of the lone worker policy is to ensure lone workers are always accounted for and are in a safe environment.

Vehicle Use Policy

To: All drivers of Newcap

- This policy applies to:
 - Vehicles owned, leased, or rented to Newcap.
 - Personally owned vehicles driven by employees on behalf of Newcap.

The following policy has been established to encourage safe operation of vehicles, and to clarify insurance issues relating to drivers and Newcap.

- All drivers must have a valid driver's license.
- Motor Vehicle Records will be checked periodically. Driving privileges may be suspended or terminated if your record indicates an unacceptable number of accidents or violations. Should your record fall into our insurance carrier's guidelines of an, 'unacceptable driver,' our employment may be terminated.
- Your supervisor must be notified of any change in your license status or driving record.

When operating your own vehicle for Newcap business:

- Your Personal Auto Liability insurance is the primary payer. Newcap's insurance is in excess of your coverage.
- You should carry at least **\$100,000** per occurrence liability coverage. Evidence of insurance coverage is to be provided to either Newcap each year, by a copy of your policy's Declaration page or a Certificate of Insurance.
- NEWCAP is not responsible for any physical damage to your vehicle. You must carry your own collision and comprehensive coverage.
- Report your mileage for expense reimbursement.

In the event of an accident:

- Take necessary steps to protect the lives of yourself and others.
- Comply with police instructions.
- Do not assume or admit fault. Others will determine liability and negligence after thorough investigation.
- Report the accident to Newcap as soon as possible.

By signing this document you are agreeing that you have read and understood the Vehicle Use policy, and will comply.

Employee's Signature

Date

Employee's name - Print

Newcap is firmly committed to your safety. We will do everything possible to prevent workplace accidents and are committed to providing a safe working environment for you and all employees.

We value you not only as an employee but also as a human being critical to the success of your family, the local community, and Newcap.

You are encouraged to report any unsafe work practices or safety hazards encountered on the job. All accidents/incidents (no matter how slight) are to be immediately reported to the supervisor on duty.

A key factor in implementing this policy will be the strict compliance to all applicable federal, state, local, and NEWCAP policies and procedures. Failure to comply with these policies may result in disciplinary actions.

Respecting this, Newcap will make every reasonable effort to provide a safe and healthful workplace that is free from any recognized or known potential hazards. Additionally, Newcap subscribes to these principles:

1. All accidents are preventable through implementation of effective Safety and Health Control policies and programs.
2. Safety and Health controls are a major part of our work every day.
3. Accident prevention is good business. It minimizes human suffering, promotes better working conditions for everyone, holds Newcap in higher regard with customers, and increases productivity. This is why Newcap will comply with all safety and health regulations which apply to the course and scope of operations.
4. Management is responsible for providing the safest possible workplace for Employees. Consequently, management of Newcap is committed to allocating and providing all of the resources needed to promote and effectively implement this safety policy.
5. Employees are responsible for following safe work practices, company rules, and for preventing accidents and injuries. Management will establish lines of communication to solicit and receive comments, information, suggestions, and assistance from employees where safety and health are concerned.
6. Management and supervisors of Newcap will set an exemplary example with good attitudes and strong commitment to safety and health in the workplace. Toward this end, management must monitor the company's safety and health performance, working environment, and conditions to ensure that program objectives are achieved.
7. Our safety program applies to all employees and persons affected or associated in any way by the scope of this business. Everyone's goal must be to constantly improve safety awareness and to prevent accidents and injuries.

Everyone at Newcap must be involved and committed to safety. This must be a team effort. Together, we can prevent accidents and injuries and keep each other safe and healthy in the work that provides our livelihood.

By signing this document, I confirm the receipt of Newcap's employee safety handbook. I have read and understood all policies, programs, and actions as described, and agree to comply with these set policies.

Employee Signature

Date

Employee Name - Print

ANNUAL REVIEW AND REVISION

The Employee Safety Policy Manual for *Newcap* is to be reviewed annually for changes to the work procedures performed under this program, changes in OSHA standards pertaining to this program, or changes in equipment used or provided. All revisions to the program must be dated and initialed by the designated managers and directors responsible for administering this program.

Date of Annual Review:

11/16/20

By:

Bob D.

Date of Revision:

By:

ADDENDUM 2: Informal Hearing/Grievance Procedures



APPLICANT INFORMAL HEARING (Grievance Procedures)

An applicant who has completed a preliminary application for the short term housing program is entitled to an informal review if they have been denied from participation of one of the following:

- ❖ Participation in the program

A current program participant of the short term housing program is entitled to an Informal Hearing if they are unsatisfied with any of the following:

- ❖ Termination of assistance
- ❖ Eligible Immigration Status
- ❖ Non-compliance of program rules and regulations

Termination is expected to be limited to only the most severe cases. Programs will exercise judgment and examine all extenuating circumstances when determining if violations are serious enough to warrant termination.

PROCEDURES FOR FILING FOR AN INFORMAL HEARING

1. Notice of Denial/Termination

Newcap must provide a written copy of the notice of denial, provide the reasons and state that the participant has the right to request an informal hearing.

2. Request for Informal Review

Upon receipt of the notice, the applicant/participant must submit a written request **within 10 days** from the date of the letter. This procedure must also be stated in the notice of denial that is sent to applicant/participant.

3. Scheduling Informal Hearing

Once Newcap receives the written request (**within the 10-day period**), a review will be scheduled within 20 days. The applicant/participant will be notified in writing of the date and time of the review/hearing.

4. Results of Informal Hearing

The Hearing Officer (someone other than the person who made or approved the decision and their subordinates) must render their decision within 15 days and notify the applicant/participant in writing.

5. Failure to Request an Informal Hearing

If the applicant/participant does not request an Informal Hearing in writing within the specified time, the decision to deny/terminate the applicant/participant is final.

The purpose for an Informal Hearing is to consider whether the Housing staff members' decision(s) regarding the applicant/participant is in accordance with program rules and regulations.

Families may present oral or written objectives and dispute criminal records. Before the hearing, the family has the opportunity to examine the documents directly relevant to the hearing. Documents include records and regulations. The family may copy the documents at its own expense.

Signature of Household Adults and Date of Signature

Signature

Date

ADDENDUM 3: Resident Rights Statement

RESIDENT RIGHTS STATEMENT

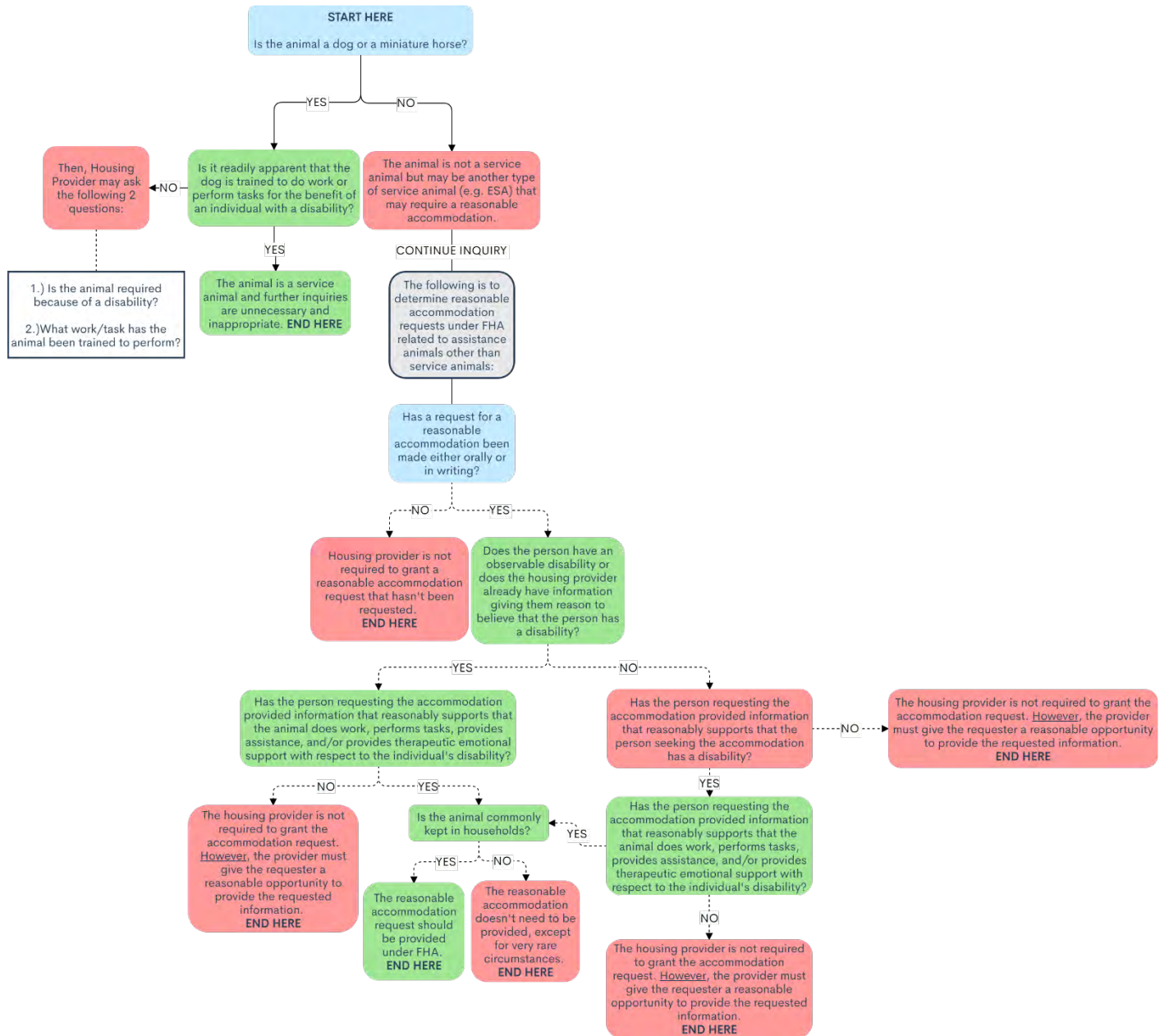
1. I have voluntarily chosen to receive services from Newcap
2. I understand that I may terminate my stay at any time
3. I understand that there is no assurance that my situation will improve. Case Management is encouraged and is a cooperative effort between me and my Case Manager. I will work with my Case Manager in a cooperative manner to resolve my homelessness
4. I understand that during the course of my stay, material may be discussed which will be upsetting in nature and that this may be necessary to help me resolve my problems
5. I understand that records and information collected about me will be held or released in accordance with state laws regarding confidentiality of such records and information
6. I understand that the state and local laws require my Case Manager to report all cases in which there exists a danger to self or others
7. I understand that there may be other circumstances in which the law requires my Case Manager to disclose confidential information
8. I have read and had explained to me the basic rights of individuals who receive services from Newcap. These rights include:
 - a. To be informed of the various steps and activities involved in receiving social services
 - b. To confidentiality under federal and state laws relating to the receipt of social services
 - c. To humane care and protection from harm, abuse, or neglect
 - d. To make an informed decision whether to accept or refuse social services
 - e. To contact and consult with counsel at my expense

I understand that Newcap staff and other coordinating agencies may exchange any and all information pertaining to my plan, to the extent such disclosure is necessary for case management, coordination of treatment, quality assurance or utilization review purposes. I understand that I can revoke my consent at any time except to the extent that services have already been received, or the action has been taken in reliance on this consent. If I do not revoke this consent, it will expire automatically in one year.

I have read or been read to, and understand the above.

Resident Signature _____ Date: ____/____/____

ADDENDUM 4: Service/Support Animal Flowchart



ADDENDUM 5: FHEO-2020-01



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

OFFICE OF FAIR HOUSING AND EQUAL
OPPORTUNITY

SPECIAL ATTENTION OF:

HUD Regional and Field Office Directors of
Public and Indian Housing (PIH); Housing;
Community Planning and Development
and Equal Opportunity; Superseded, or Rescinded.
and Regional Counsel; CPD, PIH, and
Housing Program Providers

FHEO Notice: **FHEO-2020-01**

Issued: January 28, 2020

Expires: Effective until Amended, (CPD); Fair Housing

Subject: Assessing a Person's Request to Have an Animal as a Reasonable Accommodation
Under the Fair Housing Act

1. **Purpose:** This notice explains certain obligations of housing providers under the Fair Housing Act (FHA) with respect to animals that individuals with disabilities may request as reasonable accommodations. There are two types of assistance animals: (1) service animals, and (2) other trained or untrained animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a "support animal"). Persons with disabilities may request a reasonable accommodation for service animals and other types of assistance animals, including support animals, under the FHA. This guidance provides housing providers with a set of best practices for complying with the FHA when assessing requests for reasonable accommodations to keep animals in housing, including the information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. This guidance replaces HUD's prior guidance, FHEO-2013-01, on housing providers' obligations regarding service animals and assistance animals. In particular, this guidance provides a set of best practices regarding the type and amount of documentation a housing provider may ask an individual with a disability to provide in support of an accommodation request for a support animal, including documentation of a disability (that is, physical or mental

Policy & Procedure Manual

impairments that substantially limit at least one major life activity) or a disability-related need for a support animal when the disability or disability-related need for the animal is non-obvious and not known to the housing provider. By providing greater clarity through this guidance, HUD seeks to provide housing providers with a tool they may use to reduce burdens that they may face when they are uncertain about the type and amount of documentation they may need and may be permitted to request when an individual seeks to keep a support animal in housing. Housing providers may be subject to the requirements of several civil rights laws, including but not limited to the FHA, Section 504 of the Rehabilitation Act (Section 504), and the Americans with Disabilities Act (ADA). This guidance does not address how HUD will process complaints against housing providers under Section 504 or the ADA.

www.hud.gov

espanol.hud.gov

2. **Applicability:** This notice applies to all housing providers covered by the FHA.¹
3. **Organization:** There are two sections to this notice. The first, “Assessing a Person’s Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act,” recommends a set of best practices for complying with the FHA when assessing accommodation requests involving animals to assist housing providers and help them avoid violations of the FHA. The second section to this notice, “Guidance on Documenting an Individual’s Need for Assistance Animals in Housing,” provides guidance on information that an individual seeking a reasonable accommodation for an assistance animal may need to provide to a housing provider about his or her disability-related need for the requested accommodation, including supporting information from a health care professional.

Questions regarding this notice may be directed to the HUD Office of Fair Housing and Equal Opportunity, Office of the Deputy Assistant Secretary for Enforcement and Programs, or your local HUD Office of Fair Housing and Equal Opportunity.

Anna María Farías, Assistant Secretary for
Fair Housing and Equal Opportunity

¹ The Fair Housing Act covers virtually all types of housing, including privately owned housing and federally assisted housing, with a few limited exceptions.

Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act²

The Fair Housing Act (FHA) makes it unlawful for a housing provider³ to refuse to make a reasonable accommodation that a person with a disability may need in order to have equal opportunity to enjoy and use a dwelling.⁴ One common request housing providers receive is for a reasonable accommodation to providers' pet or no animal policies so that individuals with disabilities are permitted to use assistance animals in housing,⁵ including public and common use areas.

Assistance animals are not pets. They are animals that do work, perform tasks, assist, and/or provide therapeutic emotional support for individuals with disabilities.⁶ There are two types of assistance animals: (1) service animals, and (2) other animals that do work, perform tasks, provide assistance, and/or provide therapeutic emotional support for individuals with disabilities (referred to in this guidance as a "support animal").⁷ An animal that does not qualify as a service animal or other type of assistance animal is a pet for purposes of the FHA and may be treated as a pet for purposes of the lease and the housing provider's rules and policies. A housing provider may exclude or charge a fee or deposit for pets in its discretion and subject to local law but not for service animals or other assistance animals.⁸

² This document is an integral part of U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity Notice FHEO-2020-01, dated January 28, 2020 (sometimes referred to as the "Assistance Animal Notice").

³ The term "housing provider" refers to any person or entity engaging in conduct covered by the FHA. Courts have applied the FHA to individuals, corporations, partnerships, associations, property owners, housing managers, homeowners and condominium associations, cooperatives, lenders, insurers, real estate agents, brokerage services, state and local governments, colleges and universities, as well as others involved in the provision of housing, residential lending, and other real estate-related services.

⁴ 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204. Unless otherwise specified, all citations refer to those authorities effective as of the date of the publication of this guidance.

⁵ For purposes of this guidance, the term "housing" refers to all housing covered by the Fair Housing Act, including apartments, condominiums, cooperatives, single family homes, nursing homes, assisted living facilities, group homes, domestic violence shelters, emergency shelters, homeless shelters, dormitories, and other types of housing covered by the FHA.

⁶ See 24 C.F.R. § 5.303(a).

⁷ Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. See 24 C.F.R. § 100.201.

⁸ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act (“Joint Statement”), Q and A 11 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>; *Fair Hous. of the*

Dakotas, Inc. v. Goldmark Prop. Mgmt., 778 F. Supp. 2d 1028 (D.N.D. 2011). HUD views the Joint Statement as well-reasoned guidance on some of the topics addressed in this guidance. The Joint Statement, available to the public since 2004, has been cited from time to time by courts. See,

e.g., *Bhogaita v. Altamonte Heights Condo. Ass’n*, 765 F.3d 1277, 1286 (11th Cir. 2014); *Sinisgallo* As of the date of the issuance of this guidance, FHA complaints concerning denial of reasonable accommodations and disability access comprise almost 60% of all FHA complaints and those involving requests for reasonable accommodations for assistance animals are significantly increasing. In fact, such complaints are one of the most common types of fair housing complaints that HUD receives. In addition, most HUD charges of discrimination against a housing provider following a full investigation involve the denial of a reasonable accommodation to a person who has a physical or mental disability that the housing provider cannot readily observe.²

HUD is providing this guidance to help housing providers distinguish between a person with a nonobvious disability who has a legitimate need for an assistance animal and a person without a disability who simply wants to have a pet or avoid the costs and limitations imposed by housing providers’ pet policies, such as pet fees or deposits. The guidance may also help persons with a disability who request a reasonable accommodation to use an assistance animal in housing.

While most requests for reasonable accommodations involve one animal, requests sometimes involve more than one animal (for example, a person has a disability-related need for both animals, or two people living together each have a disability-related need for a separate assistance animal). The decision-making process in this guidance can be used for all requests for exceptions or modifications to housing providers’ rules, policies, practices, and/or procedures so persons with disabilities can have assistance animals in the housing where they reside.

This guidance is provided as a tool for housing providers and persons with a disability to use at their discretion and provides a set of best practices for addressing requests for reasonable accommodations to keep animals in housing where individuals with disabilities reside or seek to reside. It should be read together with HUD’s regulations prohibiting discrimination under the FHA¹⁰ —with which housing providers must comply— and the HUD/Department of Justice (DOJ) Joint Statement on Reasonable Accommodation under the Fair Housing Act, available at <https://www.hud.gov/sites/documents/huddojstatement.pdf>. A housing provider may also be

² See, *e.g.*, *HUD v. Castillo Condominium Ass’n*, No. 12-M-034-FH-9, 2014 HUD ALJ LEXIS 2 (HUD Sec’y, October 02, 2014) *aff’d*, 821 F.3d 92 (1st Cir. 2016); *HUD v. Riverbay*, No. 11-F052-FH-18, 2012 HUD ALJ LEXIS 15 (HUD ALJ, May 07, 2012), *aff’d*, 2012 ALJ LEXIS 19 (HUD Sec’y June 06, 2012). ¹⁰ 24 C.F.R. Part 100.

subject to the Americans with Disabilities Act (ADA) and therefore should also refer to DOJ's regulations implementing Title II and Title III of the ADA at 28 C.F.R. parts 35 and 36 , and DOJ's guidance on service animals, *Frequently Asked Questions about Service Animals and the ADA* at https://www.ada.gov/regs2010/service_animal_qa.html and *ADA Requirements: Service Animals* at https://www.ada.gov/service_animals_2010.htm. This guidance replaces HUD's prior guidance on housing providers' obligations regarding service animals and assistance animals.³

Housing

v. Town of Islip Hous. Auth., 865 F. Supp. 2d 307, 336-42 (E.D.N.Y. 2012). However, HUD does not intend to imply that the Joint Statement is independently binding statutory or regulatory authority. HUD understands it to be subject to applicable limitations on the use of guidance. See

"Treatment as a Guidance Document" on p.5 for a citation of authorities on permissible use of guidance.

providers should not reassess requests for reasonable accommodations that were granted prior to the issuance of this guidance in compliance with the FHA.

Treatment as a Guidance Document

As a guidance document, this document does not expand or alter housing providers' obligations under the Fair Housing Act or HUD's implementing regulations. It should be construed consistently with Executive Order 13891 of October 9, 2019 entitled "Promoting the Rule of Law Through

Improved Agency Guidance Documents," Executive Order 13892 of October 9, 2019 entitled "Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication," the Office of Management and Budget Memorandum M-20-02 entitled "Guidance Implementing Executive Order 13891, Titled 'Promoting the Rule of Law Through Improved Agency Guidance Documents,'" the Department of Justice Memorandum of January 25, 2018 entitled "Limiting Use of Agency Guidance Documents in Affirmative Civil Enforcement Cases," and the Department of Justice Memorandum of November 16, 2017 entitled "Prohibition on Improper Guidance Documents."

Part I: Service Animals

The FHA requires housing providers to modify or make exceptions to policies governing animals when it may be necessary to permit persons with disabilities to utilize animals.¹² Because HUD

³ FHEO-2013-01.

interprets the FHA to require access for individuals who use service animals, housing providers should initially follow the analysis that DOJ has determined is used for assessing whether an animal is a service animal under the ADA.¹³ The Department of Justice's ADA regulations generally require state and local governments and public accommodations to permit the use of service animals by an individual with a disability.¹⁴ For support animals and other assistance animals that may be necessary in housing, although the ADA does not provide for access, housing providers must comply with the FHA, which does provide for access.¹⁵

¹² 42 U.S.C. § 3604(f)(3)(B); 24 C.F.R. § 100.204. See also Pet Ownership for the Elderly and Persons with Disabilities – Final Rule, 73 Fed. Reg. 63833 (Oct. 27, 2008).

¹³ 24 C.F.R. § 100.204(b).

¹⁴ 28 C.F.R. §§ 35.136(g); 36.302(c)(7).

¹⁵ Specifically, under the Fair Housing Act, housing providers are obligated to permit, as a reasonable accommodation, the use of animals that work, provide assistance, or perform tasks that benefit persons with disabilities, or provide emotional support to alleviate a symptom of effect of a disability. Separate regulations govern airlines and other common carriers, which are outside the scope of this guidance.

What is a service animal?

Under the ADA, "*service animal* means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability."¹⁶

As a best practice, housing providers may use the following questions to help them determine if an animal is a service animal under the ADA:¹⁷

1. Is the animal a dog?

- If “yes,” proceed to the next question.
- If “no,” the animal is not a service animal but may be another type of assistance animal for which a reasonable accommodation is needed.¹⁸ Proceed to Part II below.

2. Is it readily apparent that the dog is trained to do work or perform tasks for the benefit of an individual with a disability?

- If “yes,” further inquiries are unnecessary and inappropriate because the animal is a service animal.¹⁹
- If “no,” proceed to the next question.

It is *readily apparent* when the dog is observed:

- guiding an individual who is blind or has low vision
- pulling a wheelchair
- providing assistance with stability or balance to an individual with an observable mobility disability²⁰

3. It is advisable for the housing provider to limit its inquiries to the following two questions:

- The housing provider may ask in substance: (1) “Is the animal required because of a

¹⁶ 28 C.F.R. §§ 35.104; 36.104 (emphasis added).

¹⁷ 28 C.F.R. §§ 35.136; 36.302(c).

¹⁸ Although a miniature horse is not a service animal, DOJ has determined that the same type of analysis is applied to determine whether a miniature horse should be provided access, although additional considerations, beyond the scope of this guidance, apply. *See* 28 C.F.R. §§ 35.136(i); 36.302(c)(9).

¹⁹ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

²⁰ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

disability?” and (2) “What work or task has the animal been trained to perform?”²¹ Do not ask about the nature or extent of the person’s disability, and do not ask for documentation. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.

- If the answer to question (1) is “yes” and work or a task is identified in response to question (2), grant the requested accommodation, if otherwise reasonable, because the animal qualifies as a service animal.
- If the answer to either question is “no” or “none,” the animal does not qualify as a service animal under federal law but may be a support animal or other type of assistance animal that needs to be accommodated. HUD offers guidance to housing providers on this in Part II.

Performing “work or tasks” means that the dog is trained to take a specific action when needed to assist the person with a disability. ○ If the individual identifies at least one action the dog is trained to take which is helpful to the disability other than emotional support, the dog should be considered a service animal and permitted in housing, including public and common use areas. Housing providers should not make further inquiries.

- If no specific work or task is identified, the dog should not be considered a service animal but may be another type of animal for which a reasonable accommodation may be required. Emotional support, comfort, well-being, and companionship are not a specific work or task for purposes of analysis under the ADA.

For more information, refer to the ADA rules and service animal guidance on DOJ’s ADA Home Page at www.ada.gov²² or call the ADA Information Line at 1-800-514-0301.

Part II: Analysis of reasonable accommodation requests under the Fair Housing Act for assistance animals other than service animals

A **reasonable accommodation** is a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have equal opportunity to use and enjoy a dwelling, including public and common use spaces.

Remember: While it is not necessary to submit a written request or to use the words “reasonable accommodation,” “assistance animal,” or any other special words to request a reasonable accommodation under the FHA, persons making a request are encouraged to do so in order to avoid

²¹ 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

²² See *Frequently Asked Questions About Service Animals and the ADA* at https://www.ada.gov/regs2010/service_animal_qa.html; *ADA Requirements: Service Animals* at https://www.ada.gov/service_animals_2010.htm.

miscommunication.⁴ Persons with disabilities may also want to keep a copy of their reasonable accommodation requests and supporting documentation in case there is a later dispute about when or whether a reasonable accommodation request was made. Likewise, housing providers may find it helpful to have a consistently maintained list of reasonable accommodation requests.²⁴

A resident may request a reasonable accommodation either before or after acquiring the assistance animal.²⁵ An accommodation also may be requested after a housing provider seeks to terminate the resident's lease or tenancy because of the animal's presence, although such timing may create an inference against good faith on the part of the person seeking a reasonable accommodation. However, under the FHA, a person with a disability may make a reasonable accommodation request at any time, and the housing provider must consider the reasonable accommodation request even if the resident made the request after bringing the animal into the housing.⁵

As a best practice, housing providers may use the following questions to help them make a decision when the animal does not meet the definition of service animal.⁶

4. Has the individual requested a reasonable accommodation — that is, asked to get or keep an animal in connection with a physical or mental impairment or disability?

Note: The request for a reasonable accommodation with respect to an assistance animal may be oral or written. It may be made by others on behalf of the individual, including a person legally residing in the unit with the requesting individual or a legal guardian or authorized

⁴ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.
²⁴ See Joint Statement, Q and A 13 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.
²⁵ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁵ See 24 C.F.R. § 100.204(a).

⁶ See *Janush v. Charities Hous. Dev. Corp.*, 169 F.Supp.2d 1133, 1136-37 (N.D. Cal., 2000) (rejecting an argument that a definition of “service dog” should be read into the Fair Housing Act to create a rule that accommodation of animals other than service dogs is per se unreasonable, instead finding that “the law imposes on defendants the obligation to consider each request individually and to grant requests that are reasonable.”).

representative.⁷

- If “yes,” proceed to Part III.
- If “no,” the housing provider is not required to grant a reasonable accommodation that has not been requested.

Part III: Criteria for assessing whether to grant the requested accommodation

As a best practice, housing providers may use the following questions to help them assess whether

to grant the requested accommodation.

5. Does the person have an observable disability or does the housing provider (or agent making the determination for the housing provider) already have information giving them reason to believe that the person has a disability?
 - If “yes,” skip to question #7 to determine if there is a connection between the person’s disability and the animal.
 - If “no,” continue to the next question.

Observable and Non-Observable Disabilities

Under the FHA, a disability is a physical or mental impairment that substantially limits one or more major life activities. While some impairments may seem invisible, others can be readily observed. Observable impairments include blindness or low vision, deafness or being hard of hearing, mobility limitations, and other types of impairments with observable symptoms or effects, such as intellectual impairments (including some types of autism), neurological impairments (*e.g.*, stroke, Parkinson’s disease, cerebral palsy, epilepsy, or brain injury), mental illness, or other diseases or conditions that affect major life activities or bodily functions.⁸ Observable impairments generally tend to be obvious and would not be

⁷ See Joint Statement, Q and A 12 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁸ See 24 C.F.R. § 100.201.
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reasonably attributable to non-medical causes by a lay person.

Certain impairments, however, especially including impairments that may form the basis for a request for an emotional support animal, may not be observable. In those instances, a housing provider may request information regarding both the disability and the disability-related need for the animal. Housing providers are not entitled to know an individual's diagnosis.

6. Has the person requesting the accommodation provided information that reasonably supports that the person seeking the accommodation has a disability?⁹

- If “yes,” proceed to question #7. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.
- If “no,” the housing provider is not required to grant the accommodation unless this information is provided but may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so.¹⁰ To assist the person requesting the

accommodation to understand what information the housing provider is seeking, the housing provider is encouraged to direct the requester to the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. Referring the requester to that Guidance will also help ensure that the housing provider receives the disability-related information that is actually needed to make a reasonable accommodation decision.

Information About Disability May Include . . .

- A determination of disability from a federal, state, or local government agency.
- Receipt of disability benefits or services (Social Security Disability Income (SSDI)), Medicare or Supplemental Security Income (SSI) for a person under age 65, veterans'

⁹ See Joint Statement, Q and A 17 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹⁰ This would not permit the housing provider to require any independent evaluation or diagnosis specifically obtained for the housing provider or for the housing provider to engage in its own direct

disability benefits, services from a vocational rehabilitation agency, or disability benefits or services from another federal, state, or local agency.

- Eligibility for housing assistance or a housing voucher received because of disability.
- Information confirming disability from a health care professional – *e.g.*, physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse.

Note that a determination that an individual does not qualify as having a disability for purposes of a benefit or other program does not necessarily mean the individual does not have a disability for purposes of the FHA, Section 504, or the ADA.³²

Disability Determination

Note that under DOJ's regulations implementing the ADA Amendments Act of 2008, which HUD considers instructive when determining whether a person has a disability under the FHA, some types of impairments will, in virtually all cases, be found to impose a substantial limitation on a major life activity resulting in a determination of a disability.¹¹ Examples include deafness, blindness, intellectual disabilities, partially or completely missing limbs or mobility impairments requiring the use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, muscular dystrophy, multiple sclerosis, Human Immunodeficiency Virus (HIV) infection, major depressive disorder, bipolar disorder, post-traumatic stress disorder, traumatic brain injury, obsessive compulsive disorder, and schizophrenia.¹² This does not mean that other conditions are not disabilities. It simply means that in virtually all cases these conditions will be covered as disabilities. While housing providers will be unable to observe or identify some of these impairments, individuals with disabilities sometimes voluntarily provide more details about their disability than the housing provider actually needs to make decisions on accommodation requests. When this information is provided, housing providers should consider it.

evaluation. See Joint Statement, Q and A 17-18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.³²

See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹¹ See 28 C.F.R. §§ 35.108(d)(2); 36.105(d)(2).

¹² See 28 C.F.R. §§ 35.108(d)(2)(iii); 36.105(d)(2)(iii).

Documentation from the Internet

Some websites sell certificates, registrations, and licensing documents for assistance animals to anyone who answers certain questions or participates in a short interview and pays a fee. Under the Fair Housing Act, a housing provider may request reliable documentation when an individual requesting a reasonable accommodation has a disability and disability-related need for an accommodation that are not obvious or otherwise known.¹³ In HUD's experience, such documentation from the internet is not, by itself, sufficient to reliably establish that an individual has a non-observable disability or disability-related need for an assistance animal.

By contrast, many legitimate, licensed health care professionals deliver services remotely, including over the internet. One reliable form of documentation is a note from a person's health care professional that confirms a person's disability and/or need for an animal when the provider has personal knowledge of the individual.

7. Has the person requesting the accommodation provided information which reasonably supports that the animal does work, performs tasks, provides assistance, and/or provides therapeutic emotional support with respect to the individual's disability?¹⁴
- If "yes," proceed to Part IV. A housing provider, at its discretion, may make the truth and accuracy of information provided during the process part of the representations made by the tenant under a lease or similar housing agreement to the extent that the lease or agreement requires the truth and accuracy of other material information.
 - If "no," the housing provider is not required to grant the accommodation unless this information is provided but may not deny the accommodation on the grounds that the person requesting the accommodation has not provided this information until the requester has been provided a reasonable opportunity to do so. To assist the person requesting the accommodation to understand what information the housing provider is seeking, the housing provider is encouraged to direct the requester to the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. Referring the requester to that Guidance will also help ensure that the housing provider receives the

¹³ See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹⁴ See *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011) (determining that, in housing, a broader variety of assistance animals may be necessary as a reasonable accommodation, regardless of specific training).

disability-related information that is actually needed to make a reasonable accommodation decision.

Information Confirming Disability-Related Need for an Assistance Animal. . .

- Reasonably supporting information often consists of information from a licensed health care professional – *e.g.*, physician, optometrist, psychiatrist, psychologist, physician’s assistant, nurse practitioner, or nurse – general to the condition but specific as to the individual with a disability and the assistance or therapeutic emotional support provided by the animal.
- A relationship or connection between the disability and the need for the assistance animal must be provided. This is particularly the case where the disability is non-observable, and/or the animal provides therapeutic emotional support.
- For non-observable disabilities and animals that provide therapeutic emotional support, a housing provider may ask for information that is consistent with that identified in the Guidance on Documenting an Individual’s Need for Assistance Animals in Housing (*see Questions 6 and 7) in order to conduct an individualized assessment of whether it must provide the accommodation under the Fair Housing Act. The lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation.

Part IV: Type of Animal

8. Is the animal commonly kept in households?

- If “yes,” the reasonable accommodation should be provided under the FHA unless the general exceptions described below exist.¹⁵

¹⁵ See, *e.g.*, *Majors v. Hous. Auth. of the Cnty. of DeKalb Georgia*, 652 F.2d 454, 457 (5th Cir. 1981) (enforcing a “no pets” rule against an individual with a disability who needs an animal as a reasonable accommodation effectively deprives the individual of the benefits of the housing).³⁸ See 24 C.F.R. § 100.204(a).

- If “no,” a reasonable accommodation need not be provided, but note the very rare circumstances described below.

Animals commonly kept in households. If the animal is a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, then the reasonable accommodation should be granted because the requestor has provided information confirming that there is a disability-related need for the animal.³⁸ For purposes of this assessment, reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

Unique animals. If the individual is requesting to keep a unique type of animal that is not commonly kept in households as described above, then the requestor has the substantial burden of demonstrating a disability-related therapeutic need for the specific animal or the specific type of animal. The individual is encouraged to submit documentation from a health care professional confirming the need for this animal, which includes information of the type set out in the Guidance on Documenting an Individual's Need for Assistance Animals in Housing. While this guidance

does not establish any type of new documentary threshold, the lack of such documentation in many cases may be reasonable grounds for denying a requested accommodation. If the housing provider enforces a “no pets” policy or a policy prohibiting the type of animal the individual seeks to have, the housing provider may take reasonable steps to enforce the policy if the requester obtains the animal before submitting reliable documentation from a health care provider that reasonably supports the requestor's disability-related need for the animal. As a best practice, the housing provider should make a determination promptly, generally within 10 days of receiving documentation.¹⁶

¹⁶ See Joint Statement, Q and A 15 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.
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Reasonable accommodations may be necessary when the need for a unique animal involves unique circumstances ...

Examples:

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - Allergies prevent the person from using a dog; or
 - Without the animal, the symptoms or effects of the person's disability will be significantly increased.
- The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.

Example: A Unique Type of Support Animal

An individually trained capuchin monkey performs tasks for a person with paralysis caused by a spinal cord injury. The monkey has been trained to retrieve a bottle of water from the refrigerator, unscrew the cap, insert a straw, and place the bottle in a holder so the individual can get a drink of water. The monkey is also trained to switch lights on and off and retrieve requested items from inside cabinets. The individual has a disability-related need for this specific type of animal because the monkey can use its hands to perform manual tasks that a service dog cannot perform.

Part V: General Considerations

- The FHA does not require a dwelling to be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.¹⁷ A housing provider may, therefore, refuse a reasonable accommodation for an assistance animal if the specific animal poses a direct threat that cannot be eliminated or reduced to an acceptable level through actions the individual takes to maintain or control the animal (e.g., keeping the

¹⁷ See 24 C.F.R. § 100.202(d).
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animal in a secure enclosure).¹⁸

- A reasonable accommodation may include a reasonable accommodation to a land use and zoning law, Homeowners Association (HOA) rule, or co-op rule.¹⁹
- A housing provider may not charge a fee for processing a reasonable accommodation request.²⁰
- Pet rules do not apply to service animals and support animals. Thus, housing providers may not limit the breed or size of a dog used as a service animal or support animal just because of the size or breed²¹ but can, as noted, limit based on specific issues with the animal's conduct because it poses a direct threat or a fundamental alteration.²²
- A housing provider may not charge a deposit, fee, or surcharge for an assistance animal. A housing provider, however, may charge a tenant for damage an assistance animal causes if it is the provider's usual practice to charge for damage caused by tenants (or deduct it from the standard security deposits imposed on all tenants).
- A person with a disability is responsible for feeding, maintaining, providing veterinary care, and controlling his or her assistance animal. The individual may do this on his or her own or with the assistance of family, friends, volunteers, or service providers.
- Individuals with disabilities and housing providers may reference the best practices provided in this guidance in making and responding to reasonable accommodation requests within the scope of this guidance for as long as it remains in effect. HUD strongly encourages individuals with disabilities and housing providers to give careful attention to this guidance when making reasonable accommodation requests and decisions relating to animals.
- Failure to adhere to this guidance does not necessarily constitute a violation by housing providers of the FHA or regulations promulgated thereunder.²³
- Before denying a reasonable accommodation request due to lack of information confirming an individual's disability or disability-related need for an animal, the housing provider is encouraged to engage in a good-faith dialogue with the requestor called the

¹⁸ See Joint Statement Q and A 4 (May 17, 2004), at

<https://www.hud.gov/sites/documents/huddojstatement.pdf>.

¹⁹ See *Warren v. Delvista Towers Condo. Ass'n*, 49 F. Supp. 3d 1082 (S.D. Fla. 2014).

²⁰ See Joint Statement, Q and A 11 (May 17, 2004), at

<https://www.hud.gov/sites/documents/huddojstatement.pdf>; *Fair Hous. of the Dakotas, Inc. v. Goldmark Prop. Mgmt.*, 778 F. Supp. 2d 1028 (D.N.D. 2011).

²¹ See, e.g., *Bhogaita v. Altamonte Heights Condo. Ass'n*, 765 F.3d 1277 (11th Cir. 2014) (reasonable accommodation to a housing provider's rule that all dogs must be under 25 pounds).

²² See 24 C.F.R. § 100.202(d); Joint Statement, Q and A's 5 & 7 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²³ See "Treatment as a Guidance Document" on p.5 for a citation of authorities on permissible use of guidance.

“interactive process.”²⁴ The housing provider may not insist on specific types of evidence if the information which is provided or actually known to the housing provider meets the requirements of this guidance (except as provided above). Disclosure of details about the diagnosis or severity of a disability or medical records or a medical examination cannot be required.

If a reasonable accommodation request, provided under the framework of this guidance, is denied because it would impose a fundamental alteration to the nature of the provider's operations or impose an undue financial and administrative burden, the housing provider should engage in the interactive process to discuss whether an alternative accommodation may be effective in meeting the individual's disability-related needs.²⁵

Guidance on Documenting an Individual's Need for Assistance Animals in Housing

This section provides best practices for documenting an individual's need for assistance animals in housing. It offers a summary of information that a housing provider may need to know from a health care professional about an individual's need for an assistance animal in housing. It is intended to help individuals with disabilities explain to their health care professionals the type of information that housing providers may need to help them make sometimes difficult legal decisions under fair housing laws. It also will help an individual with a disability and their health care provider understand what information may be needed to support an accommodation request when the disability or disability-related need for an accommodation is not readily observable or known by the housing provider. Housing providers may not require a health care professional to use a specific form (including this document), to provide notarized statements, to make statements under penalty of perjury, or to provide an individual's diagnosis or other detailed information about a person's physical or mental impairments.²⁶ Housing providers and

²⁴ See Joint Statement, Q and A 7 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁵ For guidance on what constitutes a fundamental alteration or an undue financial and administrative burden, refer to the HUD/DOJ Joint Statement on Reasonable Accommodation under the Fair Housing Act, available at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

²⁶ See Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act (“Joint Statement”), Q and A’s 13, 16-18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.⁵⁰ This guidance does not expand on the obligations under the FHA or HUD’s regulations and should be construed consistently with Executive Order 13891 of October 9, 2019 entitled “Promoting the Rule of Law Through Improved Agency Guidance Documents,” Executive Order 13892 of October 9, 2019 entitled “Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication,” the Department of Justice Memorandum of January 25, 2018 entitled “Limiting Use of Agency Guidance Documents in Affirmative Civil Policy & Procedure Manual

the U.S. Department of Housing and Urban Development rely on professionals to provide accurate information to the best of their personal knowledge, consistent with their professional obligations. This document only provides assistance on the type of information that may be needed under the Fair Housing Act (FHA). The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Further, this document does not create any obligation to provide health-care information and does not authorize or solicit the collection of any information not otherwise permitted by the FHA.⁵⁰

The Appendix to this Guide answers some commonly asked questions about terms and issues below. An understanding of the terms and issues is helpful to providing this information.

When providing this information, health care professionals should use personal knowledge of their patient/client – *i.e.*, the knowledge used to diagnose, advise, counsel, treat, or provide health care or other disability-related services to their patient/client. **Information relating to an individual’s disability and health conditions must be kept confidential and cannot be shared with other**

persons unless the information is needed for evaluating whether to grant or deny a reasonable accommodation request or unless disclosure is required by law.⁵¹

As a best practice, documentation contemplated in certain circumstances by the Assistance Animals Guidance is recommended to include the following general information:

- The patient’s name,
- Whether the health care professional has a professional relationship with that patient/client involving the provision of health care or disability-related services, and
- The type of animal(s) for which the reasonable accommodation is sought (*i.e.*, dog, cat, bird, rabbit, hamster, gerbil, other rodent, fish, turtle, other specified type of domesticated animal, or other specified unique animal).⁵²

Disability-related information. A disability for purposes of fair housing laws exists when a person

Enforcement Cases,” and the Department of Justice Memorandum of November 16, 2017 entitled “Prohibition on Improper Guidance Documents.”
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has a physical or mental impairment that substantially limits one or more major life activities.⁵³ Addiction caused by current, illegal use of a controlled substance does not qualify as a disability.⁵⁴ As a best practice, it is recommended that individuals seeking reasonable accommodations for support animals ask health care professionals to provide information related to the following:

- Whether the patient has a physical or mental impairment,
- Whether the patient's impairment(s) substantially limit at least one major life activity or major bodily function, and
- Whether the patient needs the animal(s) (because it does work, provides assistance, or performs at least one task that benefits the patient because of his or her disability, or because it provides therapeutic emotional support to alleviate a symptom or effect of the disability of the patient/client, and not merely as a pet).

Additionally, if the animal is not a dog, cat, small bird, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal that is traditionally kept in the home for pleasure rather than for commercial purposes, it may be helpful for patients to ask health care professionals to provide the following additional information:

- The date of the last consultation with the patient,
- Any unique circumstances justifying the patient's need for the particular animal (if already owned or identified by the individual) or particular type of animal(s), and
- Whether the health care professional has reliable information about this specific animal or

⁵¹ See Joint Statement, Q and A 18 (May 17, 2004), at <https://www.hud.gov/sites/documents/huddojstatement.pdf>.

⁵² See, e.g., *Janush v. Charities Housing Development Corporation*, 169 F.Supp.2d 1133, 1136-37 (N.D. Cal. 2000) (rejecting an argument that a definition of "service dog" should be read into the Fair Housing Act to create a rule that accommodation of animals other than service dogs is per se unreasonable, finding that "the law imposes on defendants the obligation to consider each request individually and to grant requests that are reasonable.").

⁵³ 24 C.F.R. § 100.201.

⁵⁴ 24 C.F.R. § 100.201.

whether they specifically recommended this type of animal.

It is also recommended that the health care professional sign and date any documentation provided and provide contact information and any professional licensing information.

Appendix

What are assistance animals?

Assistance animals do work, perform tasks, provide assistance, or provide emotional support for a person with a physical or mental impairment that substantially limits at least one major life activity or bodily function.²⁷

What are physical or mental impairments?

Physical or mental impairments include: any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or

Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability; or

Diseases and conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.²⁸

What are major life activities or major bodily functions?

They are: seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, and working.²⁹

Other impairments – based on specific facts in individual cases -- may also substantially limit at least one major life activity or bodily function.³⁰

What are Some Examples of Work, Tasks, Assistance, and Emotional Support?

Some examples of work and tasks that are commonly performed by service dogs include³¹:

²⁷ See 24 C.F.R. §§ 5.303; 960.705.

²⁸ See 24 C.F.R. § 100.201.

²⁹ See 24 C.F.R. § 100.201(b).

³⁰ See 24 C.F.R. § 100.201.

³¹ See 28 C.F.R. §§ 35.136(f); 36.302(c)(6).

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Providing non-violent protection or rescue work,
- Pulling a wheelchair,
- Alerting a person with epilepsy to an upcoming seizure and assisting the individual during the seizure,
- Alerting individuals to the presence of allergens,
- Retrieving the telephone or summoning emergency assistance, or
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities.

Some other examples of work, tasks or other types of assistance provided by animals include:³²

- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors,
- Reminding a person with mental illness to take prescribed medication,
- Alerting a person with diabetes when blood sugar is high or low,
- Taking an action to calm a person with post-traumatic stress disorder (PTSD) during an anxiety attack,
- Assisting the person in dealing with disability-related stress or pain,
- Assisting a person with mental illness to leave the isolation of home or to interact with others,
- Enabling a person to deal with the symptoms or effects of major depression by providing a reason to live, or
- Providing emotional support that alleviates at least one identified symptom or effect of a physical or mental impairment.

What are examples of a patient's need for a unique animal or unique circumstances?³³

- The animal is individually trained to do work or perform tasks that cannot be performed by a dog.
- Information from a health care professional confirms that:
 - o Allergies prevent the person from using a dog, or

³² See, e.g., *Majors v. Housing Authority of the County of DeKalb Georgia*, 652 F.2d 454, 457 (5th Cir. 1981); *Janush*, 169 F.Supp.2d at 1136-37.

³³ See, e.g., *Anderson v. City of Blue Ash*, 798 F.3d 338, 360-63 (6th Cir. 2015) (seeking a reasonable accommodation to keep a miniature horse as an assistance animal).

- o Without the animal, the symptoms or effects of the person's disability will be significantly increased.
 - The individual seeks a reasonable accommodation to a land use and zoning law, Homeowners Association (HOA) rule, or condominium or co-op rule.
 - The individual seeks to keep the animal outdoors at a house with a fenced yard where the animal can be appropriately maintained.
-

ADDENDUM 6: Neighborhood Contact Form

Prepared for: **Newcap**
Bob Detrick
VP Construction and Safety
1201 Main Street
Oconto, WI 54153

932 Cherry Street – Feasibility Narrative

August 2nd, 2021

Project Introduction

This narrative will focus on the project feasibility of the renovation and re-purposing proposal for property at 932 Cherry Street.

Newcap, (Northeast Wisconsin Community Action Program) is a regional non-profit organization rooted in an anti-poverty mission and founded in 1973. The organization runs 36 programs dealing with crisis, providing stability, setting up success, and improving the community. Newcap owns and operates units of housing throughout a 10 county area, and provides responsible, community minded housing options for people of various specialized needs throughout the region.

The **932 Cherry Street** property contains a building that was built as a single family residence, but currently houses a non-profit office space. The two story facility contains approximately 2,400sf of occupied space above ground. The site is located on the corner of Webster Ave, and Cherry Street, in an established residential neighborhood that is in the process of new housing investment with the development of town homes and apartment conversions of a neighboring historic school building. The centralized location near schools and services makes this an attractive location for a number of uses.

Newcap is proposing that the **932 Cherry Street** property be converted into a shelter for transient housing of teens or young adults facing crisis or challenges.

City of Green Bay Conditional Use Permit Process (CUP)

The project is located in what is classified as an OR mixed-use zone. As the proposed use by Newcap is considered a congregate living use (per Sec.44-1581 of the Green Bay Municipal Code), it falls outside the allowable uses of the OR zoning allowance this district. It does fall into a conditional use category. The conditional use category requires a review and approval process by the City of Green Bay, prior to any level of advancement in the entitlement process. The CUP process requires a formal application submission and a formal review by City Staff and approval by the Green Bay Plan Commission, specifically as the project relates to the question of appropriate Land Use for the proposal at hand.

The CUP submission is comprised of two major components. The first is the operational/programmatic statement. This is a description of the intended use of the property as it relates to ongoing management. Newcap has prepared this component with the CUP application. This document represents the second component of the submission, speaking officially to the feasibility of the facility and project site as they related to applicable codes and standards of the City of Green Bay.

Proposal Narrative References

This report features the following applicable codes.

- City of Green Bay Municipal Code
 - Zoning Code (Green Bay Municipal Code Chapter 44 Zoning Code
 - Article XVI Green Bay Land Use Development Standards
 - Building Codes (Green Bay Municipal Code Chapter 8 Buildings and Construction)
 - Article II – Building Code
 - Adopted Codes
 - Wisconsin State Commercial Building Code
 - 2015 IBC (International Building Code)
 - 2015 IEBC (International Existing Building Code)
 - 2015 IFC (International Fire Code)
 - 2010 ADA Federal Guidance (American Disabilities Act)

Land Use Standards

Use Appropriateness Context

As part of the conditional use requirement, City Staff and Planning Commissioners are asked to consider the appropriateness of the site as it relates to the proposed use in context to adjacent uses and what the capacities are of the existing site and or proposed facility. First we must understand what the use of the facility shall be defined from a municipal code point of view:

Although the function of the facility will be considered a "Transient Boarding House" per the International Building Code, the City of Green Bay regulates congregate housing as defined by the definition of "Dormitory"

City of Green Bay Municipal Code, Article III, Division 2 (definitions) Section 44-250 Land Use Definitions. Under "Multiple Family Dwelling" (2) Congregate Living Uses

44-1581. Congregate Living Uses. (a)(4) Room/boardings House, (b)(8) Community Living Arrangement, (c)(4) Frat/sorority house, (f)(5) Nursing Home/Assisted living. All "may be considered a dormitory as defined and regulated within the Municipal Code"

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, or restroom facilities. This definition includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community-based residential facilities, migrant housing, seminary, or similar institution.

The proposed use of this location as residential facility echo's back to its original construction as a single family home. The building is a fixture on the prominent corner site, therefore the existing facility is already is contextually appropriate as a building type with appropriate scale at this location. As it is surrounded by other residential and mixed-use properties, the proposed use of the facility as a shelter is equally compatible when considering adjacent uses and suggests a level of favorably.

Adding to this favorable assessment is the centrally located position of the property where a hub of social services and supportive organizations is focused. The location provides access to resources and support facilities that are crucial for the facility residents. The general walk-ability and access to transit in the area is ideal for families and residents who may be undergoing crisis or transition, and may face mobility challenges. There is nearby access to Green Bay East High School as well as Washington Middle School. This location would be extremely favorable and advantageous to the population served by this facility, particularly teens and young adults in need.

Land Development Standards

Additional regulatory requirements of the "Dormitory" classification

Green Bay Municipal Code, Article XVI Land Use Development Standards Section 44-1581 Congregate Living Uses

(c) Dormitory in all districts.

(1) On-site services shall be for residents of the facility only.

(2) The maximum number of persons occupying the building shall not exceed four per bedroom with 50 square feet of sleeping area per resident, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption. Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.

(3) One bath and restroom facility for every eight individuals residing in the dormitory. The bath and restroom facility shall be located so that no individual is required to pass through a sleeping room other than their own in order to access the bath and restroom facility.

(4) One kitchen and dining area for every ten individuals residing in the dormitory.

(5)One laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and a washbasin for every ten individuals residing in the dormitory.

(6)One common use area/lounge of at least 600 square feet in size for relaxation and recreation of the occupants for every ten individuals residing in the dormitory.

(7)If the dormitory use ceases for a period of 12 months or more, the conditional use approval will no longer be in effect. If construction and occupancy has not been completed and established within 12 months of the date of approval, the conditional use status of the property shall no longer be in effect. In the event of a natural disaster or emergency situation, as determined by the City of Green Bay, these regulations may be suspended for a term of not more than 12 months.

The proposal by Newcap is to convert the existing building, now a non-profit office, back into a residential facility. However, instead of a single family residence, the new proposed use is a temporary home for teens and young adults. Newcap expects the occupant capacity to be served at 10 residents, with a management staffer. The existing home contains a kitchen, and an open living area. It also has bedrooms both upstairs and at the main level.

As the proposal is an adaptive reuse of an existing building, there are a number of challenges that may exist within the existing conditions of the building that will require specific building upgrades and renovations. These adaptations will be covered during a later building code review process with City officials. Additionally, Newcap may approach the City of Green Bay at a future date, for consideration of exceptions to the Dormitory requirement as physical constraints of the existing facility or budgetary limitations may constrain the ability to follow a strictly defined standard of the "Dormitory" label. Reasonable asks to modify aspects of the dormitory requirement may be requested.

Zoning Code Standards

Another aspect for the CUP process is a site plan consideration.

Green Bay Municipal Code, Chapter 44 Zoning, Article II. Administration, Division 2 Green Bay Planning Commission, sec 44-83 Conditional Uses part (e) Standards items 1-7

Generally speaking, the proposal as presented, offers no evident concerns to meet site standards that are listed in the Code. The following conditions will be reviewed with the Green Bay City Staff as the entitlement process continues.

- *Off-street parking facilities to be consistent with Zoning Code requirements, based on occupant loads and use changes.*
- *Facility or site modifications will not be injurious to the use of other property or diminish or impair property values within the surrounding neighborhood.*

Building Code Standards

Although the Planning Commission does not carry the power to administer specific building code enforcement, a part of the CUP approval consideration is to understand the capacity and appropriateness of the existing facility and land use to with the proposal.

The existing facility located at **932 Cherry Street** will require a level of renovation to adapt the facility to a new use. The Building Codes provided by the City of Green Bay, and it's adoption of the Wisconsin State Commercial Code as well as associated International Building Codes, including guidance for ADA accessibility guidelines, will determine the scope of these renovations.

Use and Occupancy

Per International Building Code (IBC) Chapter 3 Use and Occupancy Section 310.4

For this proposal our use changes from Office to Residential. Our Occupancy is considered R-3 based on the new residential-use catering to 10 or less "transient" residents. (*Boarding House / Transient*)

Fire Protection

Per International Building Code (IBC) Chapter 9 Fire Protection Systems Section (F) 903.2.8 Group R

- *An automatic sprinkler system in accordance with Section 903.3 shall be provided throughout all buildings with Group R fire area*

The type of Sprinkler System required by R-3 use, based on occupancy, will most likely be of the NFPA-13D standard – but this must be confirmed with the local Green Bay Fire Marshall as a matter of design approvals/permits.

Egress and Accessibility

Per International Building Code (IBC) Chapter 10 Means of Egress

Occupant loading of the facility will be effected by egress capabilities.

Per American for Disabilities Act 2010 Standards for Accessible

ADA egress path or guidelines for accessibility, inclusive of commons area bathrooms (with accessible showers).

SUMMARY

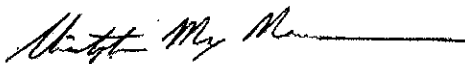
The property located at **932 Cherry Street** is a stately contributor to the neighborhood building stock. The home has a long history as a prominent presence on the Corner of Webster and Cherry Street, in the heart of East Green Bay. Over the years, it has been utilized for both residential and non-residential uses. The Newcap proposal is simply another appropriate and fitting use for this facility that will spark renovations and improvements that will extend the functional use and longevity of the house. The proposed use will also be well served in a residential centrist neighborhood. The area has an excellent access resources, amenities, and transit options that will support residents at this well-matched location.

The existing building does require a level of code updates and improvements to meet requirements with the new proposed use. Upon completion of the building renovation, this use will not only be feasible on this site, it will be positioned to offer a positive service to the community.

NEXT STEPS

A move forward with the CUP approval will allow Newcap to move forward in its design and planning processes. These processes will include City officials collaborating with Newcap to determine what specific improvements will be implemented to the building and the site to meet or exceed expectations of the City of Green Bay and the terms of the conditional use approval.

Respectfully Submitted,



Christopher Max Naumann; AIA, ALA, NCARB
President
Christopher Max Design & Development LLC.

8/4/2021



Department of Police

James L. Runge
Chief of Police

June 28, 2021

William Peters, Neighborhood Development Specialist
City of Green Bay
Department of Community and Economic Development
100 N Jefferson Street # 608
Green Bay, WI 54301-5026

Dear Mr. Peters,

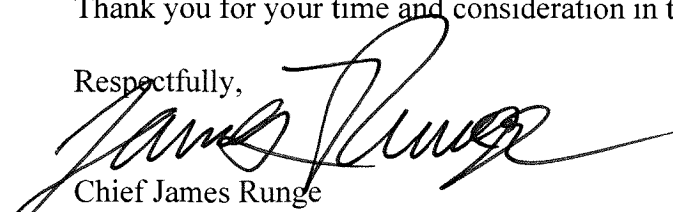
The Green Bay Police Department is writing a letter of support to Newcap in support of both their short-term housing projects for families and for youth. Both projects are short-term housing facilities. These two facilities offer a variety of supportive services to families and youth (under the age of 18) within our community. These facilities will help keep the homeless populations off the streets and provide them a safe place to sleep at night. Both programs fill much needed gaps within our city.

The (CABA) Center for Advocating, Believing, and Achieving fills a gap in homeless services within our city and will provide safe and stable short-term housing for families. The proposed location for this facility is 315 S. Jefferson Street Green Bay, WI. Currently this short-term housing is needed. Newcap reports eight families are housed and 32 on the wait list that are not eligible anywhere else. The program is in a temporary facility now and needs to relocate to the S. Jefferson site.

The Center for Youth will provide short-term housing for youth under the age of 18 within our city while working on family reunification and/or finding alternate housing and provide supportive services and referrals to other area resources. The proposed location for this facility is 932 Cherry Street Green Bay, WI. The project will be able to serve 6-8 youth at a time.

Thank you for your time and consideration in this matter.

Respectfully,


Chief James Runge
Green Bay Police Department

6/30/2021

William Peters, Neighborhood Development Specialist
City of Green Bay/Department of Community and Economic Development
100 N Jefferson St, 608
Green Bay, WI 54301-5026



Dear William,

The Wisconsin Association for Homeless and Runaway Services is happy to provide this letter of support of Newcap's Center for Youth in the City of Green Bay. This Center will serve unaccompanied youth under 18 years of age that are not eligible in any other facility in the community. As members of WAHRS, Newcap and the proposed shelter will collaborate with the other shelter service providers in the area of Green Bay and the surrounding communities. These services include those provided by: House of Hope, a licensed sheltercare facility that provides voluntary and court ordered shelter and services to female unaccompanied youth in the Green Bay area, as well as Boys & Girls Clubs of the Fox Valley in Appleton and Menasha, Foundations Health and Wholeness in Green Bay and Sheboygan, and Family Services of Northeast Wisconsin, all of whom currently provide shelter through voluntary placements in licensed foster homes. Despite collaboration and mutual referral among these agencies, we find that the options for voluntary shelter are not sufficient to meet the need for services in Green Bay and the surrounding communities, especially among runaway and homeless youth who are male and for whom host homes/licensed foster homes are not the best option.

The Center will provide crisis care to runaway and homeless youth not already receiving services from child welfare or juvenile systems. Center staff will work to establish and strengthen community-based programs that meet the immediate needs of runaway and homeless youth and their families. The Center will provide short-term housing, food, and clothing. Newcap's Community Health Clinic will provide mental health counseling and therapy and will have clinic hours provided at the shelter, as needed. The Center will be able to provide up to 21 days of housing for up to 6 youth and work toward reunification if possible. They will locate alternative placements, when appropriate. Center staff can also provide out-of-shelter services, including street outreach, family support, and referral to short-term housing. These facilities offer a range of needed, supportive services to youth (under the age of 18) within our community.

The Center for Youth will provide short-term housing for youth under the age of 18 within the city, while working on family reunification and/or finding alternate housing and provide supportive services and referrals to other area resources. This addresses a current gap in homeless services within Green Bay and will provide safe and stable short-term housing for unaccompanied youth.

If I may be of further assistance regarding this matter, please do not hesitate to contact me by email or at (608) 239-5430.

Sincerely,

Joli Guenther
Executive Director
(608) 239-5430/joli@guentherhome.com



1201 Main Street, Oconto, WI 54153

920.834.4621

Newcap.org

William Peters, Neighborhood Development Specialist
City of Green Bay
Department of Community and Economic Development
100 N Jefferson St, 608
Green Bay, WI 54301-5026

Dear William,

Please accept this letter as our formal request for assistance in the purchase of two properties located in the City of Green Bay. The properties are located at 315 S Jefferson Street and 923 Cherry Street. These properties would be used as 24/7 short-term housing facilities that would provide shelter for two very vulnerable populations.

315 S Jefferson Street will be used as a short-term housing/shelter facility and will serve approximately 10-12 families that are not being served by the other shelters in the City. This project is called the Center for Advocating, Believing, and Achieving (CABA). There are currently two other family shelters in the City of Green Bay. One only serves the traditional family and the other one serves young parents and their children. This shelter would be used to fill the gap. This shelter will be staffed 24 hours per day and will offer a vast array of supportive services to families that reside there. These services will be structured in a way that will assist families in finding alternative housing as soon as they are able. A full-time Family-Centered Coach will be available 40 hours per week to help these families work toward their dreams while also working on housing stability. This facility will be able to help isolate families that may have contracted COVID-19 or been in contact with someone that test positive for COVID-19. The asking price for this building is \$134,900 plus closing costs of approximately \$2,000.

923 Cherry Street will be used as a short-term housing facility for youth under the age of 18. This facility will be staffed 24/7 and residents will not have to leave during the day time hours. There will also be a drop-in center for youth to be at during the day. This facility is called the Center for Youth. This shelter received funding from DEHCR for rehabilitation, staffing and operations so we are looking for funds to purchase the facility. This facility will take all youth under the age of 18 no matter the situation. The Wisconsin Association for Homeless and Runaway Services is supporting Newcap in this venture and has included the project in their Basic Center Funding Grant for 2021-2022. The purchase price for this facility is \$139,900 plus closing cost of approximately \$2,000. A Youth Case Managers will be on staff 40 hours per week do assist youth with family reunification or locating alternate housing. Youth are allowed to reside at the shelter up to 21 days but extension can be allowed on a case-by-case basis. This shelter is helping to close a gap in service in this community.

The funding that the City of Green Bay has available will make these projects possible and help in closing the gaps in services to end homelessness within the City. Newcap is currently housing families at a facility within the county. This facility can only house 8 families at one time and has been full since May 2021. There are currently 32 families on the CABA waitlist looking for housing. Also, the Safe Parking Project is averaging 10-12 cars per night. This new facility will help close the gap further and will not have these households on the streets during the daytime hours. The City funding will make a huge impact on the homeless and runaway youth in the community and will allow youth the opportunity of a safe place to sleep while working on other barriers.

Please let me know if you have any questions regarding this request.

Respectfully,

Cheryl Detrick
President & CEO

Advocating. Believing. Achieving.



Report to the Green Bay Plan Commission

MEETING DATE

August 9, 2021

PREPARED BY

David Buck, Staff

AGENDA ITEM # E.11

(TA 21-05) Consideration with possible action on the review of updates to Article XVIII. Off-Street Parking, Drives, and Loading, Green Bay Municipal Code.

BACKGROUND

Reason for Request: Review and potential amendments to “newly” adopted code.

*** This item was held over from the Plan Commission meeting of July 26, 2021, to allow staff the opportunity to gather information associated with amendment numbers 6 & 7 of the attached summary.**

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan does not provide specific guidance regarding particular text amendments. However, the principles contained within the comprehensive plan are what guide the regulations.

Analysis: The Off-Street Parking, Drives, and Loading section of the Zoning Ordinance was repealed and recreated in September 2019. As is common with code updates, a review is conducted following implementation to examine how it is performing and determine if any amendments are necessary.

The parking code has been reviewed by Community and Economic Development staff (Planning, Economic Development, Enforcement, Housing/Zoning, Neighborhoods) as well as the Department of Public Works/Engineering, which included extensive review by the City’s traffic engineer. In general, it is performing very well. However, staff determined that fourteen amendments would be appropriate. Of the fourteen potential amendments, eleven had no controversy, two are supported, staff felt it would be beneficial for more thorough discussion by the Commission, and one is contested.

Attached to this report please find a draft parking code summary of amendments and draft Article XVIII. Off-Street Parking, Drives, and Loading with “track changes (colored text: red strikethrough text is to be removed and red underlined text are regulations that have been augmented and/or revised from their current status.

*** The July 26th meeting on this item was addressed much like a workshop and included a public hearing. Twelve of the fourteen proposed amendments appeared to receive Plan Commission endorsement. The Commission requested additional information on items 6 and 7, (of the attached summary) including an example of pre- and post-amendment development and formalized code language/text that includes flexibility or “relief”/appeal process. These items will be presented at the meeting.**

RECOMMENDATION

Staff recommends approval of the proposed amendments to Article XVIII. Off-Street Parking, Drives, and

Loading, Green Bay Municipal Code with the inclusion of Plan Commission determination on Items 6 & 7.

FISCAL IMPACT

ATTACHMENTS

1. Chapter 44-1700 Off-Street Parking & Circulation_draft changes 7.13.21
2. Summary of Amendments 8.3.21
3. Memo from traffic functional area intersection Plan Commission 210726

ARTICLE XVIII. OFF-STREET PARKING, DRIVES, AND LOADING

DIVISION 1. GENERAL PROVISIONS

Sec. 44-1689. Purpose.

Access, parking and loading facility regulations are established to alleviate or prevent congestion of the public right-of-way, provide for the parking and loading needs of uses and structures, and enhance the compatibility between parking and loading areas and their surroundings. Parking facilities include but are not limited to all driveways, drive aisles, parking spaces, loading areas, and other items associated with access to the site, vehicle parking and loading/unloading operations.

(Ord. No. 19-19 , §1(13-1701), 9-17-2019)

Sec. 44-1690. Submission of site plan.

Any application for a building permit or zoning certificate requiring or including the provision of off-street parking or loading shall include a site plan. Said plan shall be drawn to scale and fully dimensioned depicting access, parking and loading facilities in compliance with this article.

(Ord. No. 19-19 , §1(13-1702), 9-17-2019)

Sec. 44-1691. Nonconforming facilities.

Existing access, parking and loading facilities that were lawfully constructed but are nonconforming to current requirements of this article may be maintained and repaired subject to the following:

- (1) Maintenance and repair of nonconforming facilities is limited to patching and resurfacing where the base material is not exposed. Maintenance and repair efforts that exposes the base material (i.e. compacted gravel) is considered reconstruction and must meet the requirements of this article with the following exception: Minor rehabilitation items like replacing catch basins, replacing damaged landscaped islands, repairing cracks/small sinkholes, etc., is permitted. Minor rehabilitation is limited to no greater than 500 square feet or ten percent of the surface area annually, whichever is greaterless.
- (2) Shared driveways (driveways located on multiple lots and typically situated over lot lines) that existed prior to the adoption of the ordinance from which this chapter is derived may remain legal driveways. No new or reconstructed shared driveways may be established unless cross-access easements are recorded with the Register of Deeds.
- (3) Existing nonconforming access, parking and loading facilities shall not be reconstructed, expanded or increased in an area unless the entire facility is brought into compliance with requirements of this Code.
- (4) Existing access, parking and loading facilities shall not be reduced below the requirements for a similar new use or, if currently nonconforming, they shall not be reduced further.

(Ord. No. 19-19 , §1(13-1703), 9-17-2019)

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Sec. 44-1692. Change of use.

When the use of a building or site is changed or the intensity of use is increased through the addition of dwelling units, floor area, capacity, or other unit of measurement used for determining parking and loading requirements, parking and loading facilities shall be provided for such change or intensification of use as specified in Section 44-1726. Figure 2: Number of Off-Street Parking Spaces Required by Land Use.

(Ord. No. 19-19 , §1(13-1704), 9-17-2019)

Sec. 44-1693. Use limitations.

Access, parking and loading facilities shall be used for their intended purposes.

- (1) Access, parking and loading facilities shall not be used for storage, display, sales, rental, or repair of motor vehicles or other goods nor for the storage of inoperable vehicles or snow. Equipment specifically designed for snow removal may be temporarily parked/stored in parking facilities of multiple family or nonresidential uses between the beginning of November through the end of April.
- (2) All vehicles shall be in condition for safe and legal performance on public rights-of-way, ~~be registered, and display current license plates.~~
- (3) No vehicle or equipment shall be used as living quarters.
- (4) Single- and two-family uses are permitted to temporarily use required access and parking areas for recreation and social activities, maintenance of ~~licensed~~-operable vehicles as described in subsection 2 above owned/operated by residents of the unit (such as washing, changing fluids, rotating tires), and other activities accessory to the principal single- or two-family use. All such activities/uses shall be limited so that they are discontinued between the hours of 10:00 p.m. and 7:00 a.m.

(Ord. No. 19-19 , §1(13-1705), 9-17-2019)

Sec. 44-1694. Surfacing.

- (a) All off-street parking facilities and driveways leading to such parking facilities, and all other areas upon which motor vehicles may traverse or be parked shall be graded and surfaced with a dust-free all-weather hard surface material capable of carrying a wheel load of 4,000 pounds.
- (b) Acceptable surfacing materials include asphalt, concrete, brick, cement pavers, permeable pavement systems meeting WI DNR Technical Standards or similar material approved by the City and installed and maintained per industry standards.
- (c) Residential drives serving single-family and two-family dwellings may contain a grass center, provided that the areas on which the vehicle's wheels touch are a minimum of 12 ~~to but no greater than~~ 18 inches in width.

(Ord. No. 19-19 , §1(13-1706), 9-17-2019)

Sec. 44-1695. General maintenance.

Access, parking and loading facilities shall be kept free of dirt, dust, debris, and waste. In winter months, required access, parking and loading facilities that are available to the public shall be cleared of snow within a reasonable time as required in Section 34-14.

(Ord. No. 19-19 , §1(13-1707), 9-17-2019)

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Sec. 44-1696. Abandoned facilities.

- (a) Parking facilities which have been abandoned, no longer provide access to legal parking areas, no longer service an approved principal or accessory use, and/or are not included on the approved site plan shall be removed, in their entirety, to the curb/pavement line at the owner's expense.
- (b) Removed parking facilities shall be replaced with curb, sidewalk (where applicable) and vegetated ground cover.

(Ord. No. 19-19 , §1(13-1708), 9-17-2019)

Sec. 44-1697. Access limitation by use.

Access to property shall be directed to the most appropriate street classification for the use it is serving.

- (1) Single-family and two-family dwelling units shall not have driveways or other access points onto a collector or arterial street that is not primarily residential unless such street has the only available frontage.
- (2) Nonresidential, mixed-use and multifamily uses shall not have driveways or other access points onto a residential local street unless such street has the only available frontage.
- (3) Driveway access existing prior to the adoption of the ordinance from which this article is derived is exempt from the access limitation and may be reconstructed at its present size and location.
- (4) Exception to this limitation is permitted if determined by the Department of Public Works based on findings of a traffic impact analysis.

(Ord. No. 19-19 , §1(13-1709), 9-17-2019)

Sec. 44-1698. Access distance from intersections.

Driveway approaches measured along the property line shall be a minimum of 25 feet from the intersection of the street right-of-way lines on a corner lot or 35 feet from the point of intersection of the face of the curbs, whichever is greater. See Figure 1: Access Distance from Intersections.



Commented [DB1]: Discussion item

Commented [DB2]: DPW to provide a table with varying distances.

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Figure 1: Access Distance From Intersections

(Ord. No. 19-19 , §1(13-1710), 9-17-2019)

Sec. 44-1699. Angle of intersection with right-of-way.

All driveways and other access points shall intersect with any public right-of-way at an angle of 90 degrees wherever possible but in no case shall the angle be less than 75 degrees.

(Ord. No. 19-19 , §1(13-1711), 9-17-2019)

Sec. 44-1700. Visibility standards.

All driveways and other access points shall comply with the visibility standards of Section 44-359.

(Ord. No. 19-19 , §1(13-1712), 9-17-2019)

Sec. 44-1701. Traffic control.

- (a) Traffic generated by any use shall be channelized and controlled in a manner that avoids congestion on public streets and other safety hazards.
- (b) All parking and loading areas except those serving single- and two-family dwellings shall be designed so that vehicles enter and exit property in a forward motion so as not to back onto public streets. If deemed necessary for traffic safety, turnaround areas may be required.
- (c) Each required off-street parking space except those serving single- and two-family dwellings shall open directly onto a driveway or drive aisle of such width and design as to provide safe and efficient means of vehicular access, as regulated in Section 44-1774 and Figure 9: Parking Space Design Standards.

(Ord. No. 19-19 , §1(13-1713), 9-17-2019)

Secs. 44-1702—44-1725. Reserved.

DIVISION 2. OFF-STREET PARKING AND CIRCULATION

Sec. 44-1726. Minimum number of required off-street parking spaces.

- (a) Calculation. Off-street parking requirements for each land use are generally tied to capacity, net floor area, or the number of employees at the subject property during the largest work shift.
 - (1) The term "capacity" means the maximum number of persons that may be accommodated by the use as determined by its design or by building code regulations, whichever is greater. Both indoor and outdoor uses are included in maximum capacity.
 - (2) The term "employees on the largest work shift" means the maximum number of employees working at the facility during a single given day, regardless of the time period and whether any such person is a full-time versus part-time employee.

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- (3) The term "net floor area" shall mean the total floor area inside the building envelope on all levels of a building excluding mechanical rooms, permanent accessory storage/freezers/coolers, stairwells/elevators, uninhabitable attics or basements, underground parking and other areas deemed appropriate by the Zoning Administrator.
- (4) When calculating the number of off-street parking spaces resulting in a fraction, each fraction of one-half or more shall be considered a space.
- (5) Where future potential uses of a building may generate additional parking demand, the City may require a parking plan for the site showing how the anticipated parking demand will be met. The City may require the additional land area identified as anticipated parking to be placed in reserve as landscaped open space until needed.
- (b) Parking spaces for uses with multiple components, such as hotels with dining and conference facilities, shall be based on the sum of the parking requirements of the separate components.
- (c) Buildings built on speculation or not initially occupied (unknown use) shall be required to provide one stall per 300 square feet of net floor area.
- (d) In addition to the requirements in Figure 2: Number of Off-Street Parking Spaces Required by Land Use, one parking space shall be provided for each commercial vehicle or vehicle necessary for the operation of the use that is maintained on the premises.
- (e) See Figure 2: Number of Off-Street Parking Spaces Required by Land Use for a list of the number of parking spaces required by land use.
- (f) Parking requirement exceptions in the Downtown Zoning District (D).
 - (1) Within the Downtown Zoning District (D), the minimum required parking space requirements for nonresidential uses are waived.
 - (2) Residential uses within the Downtown Zoning District (D) need only provide evidence of the availability of off-street public or private parking within the district in the amount of one parking space per dwelling unit.
 - (3) When off-street parking facilities are provided, such facilities shall meet all requirements of this chapter, except in respect to the required number of spaces.

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Figure 2. Number of Off-Street Parking Spaces Required by Land Use

	<i>Land-Use</i>	<i>Minimum Number of Off-Street Parking Spaces Required</i>	<i>Notes</i>
Residential	Single- and two-family dwellings, detached or attached	2 spaces per dwelling unit, 1 space per unit must be an enclosed (garage) space.	Exception for narrow lots, as outlined in Section 44-1747(c).
	Multiple-family dwelling	1 Space per dwelling unit plus 1 visitor space per 4 units.	
	Senior (elderly) housing	1 space per dwelling unit.	If senior housing has the potential to be converted to general housing, proof of ability to provide additional parking may be required.
	Carriage-house	1 space per dwelling unit.	
	Live-work unit and/or home occupations	Same as dwelling unit requirement.	1 space shall be accessible for client parking, if applicable.
	Manufactured and mobile home	1 per dwelling unit.	
	Rooming house/boarder house	2 spaces per 3 bedrooms for rent plus 2 spaces per 3 employees on the largest shift.	
	Community living arrangement	2 space per 3 employees on the largest shift plus 1 visitor space for every 4 residents based on capacity.	
	Dormitories, student housing, fraternity or sorority house, convent/monastery	To be determined by Zoning Administrator based on parking study.	Parking study required.
	Shelter facility, transitional housing	1 space per 5 residents based on capacity plus 2	

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		spaces per 3 employees on the largest shift.	
	Nursing home, assisted living	1 space per 4 beds plus 3 spaces per 4 employees on the largest shift.	
Educational	Adult/family daycare home	Same as dwelling unit requirement plus 1 drop-off space.	Drop-off space may be on-street adjacent to residence with Approval of the Department of Public Works.
	Group daycare center, preschool	2 spaces per 3 employees on the largest shift plus 1 space per 7 students based on capacity.	
	School, grades K—12	2 spaces per 3 employees on the largest shift plus 1 space per 5 students of legal driving age based on capacity.	Existing schools not meeting this standard may be required to provide a parking management plan but shall not be required to add the minimum number of spaces.
	College or university, other adult learning center	To be determined by Zoning Administrator based on parking study.	Parking study required.
	Trade school, arts school, dance school, etc.	2 spaces per 3 employees on the largest shift plus 1 space per 5 students based on capacity.	If students are expected to drive, Parking study required.
Institutional and Civic	Community center, neighborhood center, cultural institution, library	Parking equal to 30 percent of persons based on design capacity.	
	Cemetery	To be determined by Zoning Administrator based on parking study.	Parking study required.
	Hospital	To be determined by Zoning Administrator based on parking study.	Parking study required.

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Commercial	Clinic or healthcare facility including veterinary	1 space per 2 exam rooms plus 2 spaces per 3 employees on the largest shift.	
	Park, playground or recreational center	1 space per each 4 persons of maximum design capacity.	
	Religious institution, place of worship	1 space per each 5 persons based on design capacity of the main assembly area.	
	Offices		
	General office, government office, bank/financial institution, medical office	1 space per 500 square feet net floor area.	
	Artist's studio	1 space per 500 sq. ft. net floor area devoted to sales or display.	
	Accommodation and Food Service		
	Hotel, motel and bed and breakfast	1 space per guest room plus 2 spaces per 3 employees on the largest shift.	Additional spaces as needed for conference/meeting or restaurant facilities.
	Restaurant (with or without drive-through), tavern/bar, nightclub	1 space per 300 sq. ft. of net floor area plus 1 space per 500 sq. ft. exterior seating area.	Drive-through facilities shall include queuing space for at least 3 vehicles in advance of the menu board and 3 vehicles between the menu board and pick-up window.
	Service Businesses		
	Personal or business service businesses not listed below	1 space per 500 sq. ft. net floor area plus 1 space per 1,000 sq. ft. outside sales or display area.	Includes any service uses not specifically listed.
	Barber shop/beauty salon, spa	2 spaces per 3 workstations plus 2	

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		spaces per 3 employees on the largest shift.	
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	<i>Land-Use</i>	<i>Minimum Number of Off-Street Parking Spaces Required</i>	<i>Notes</i>
Commercial	Retail		
	Funeral home	1 space per each 5 persons based on design capacity of the main assembly hall.	
	General retail sales and rental	1 space per 500 sq. ft. net floor area plus 1 space per 1,000 sq. ft. outside sales or display area.	Includes any retail uses not specifically listed.
	Motor vehicle rental/sales	1 space per 500 sq. ft. of net floor area plus adequate storage space for vehicles displayed/maintained on-site.	
	Motor vehicle repair (major or minor), service station, convenience store	1 space per 500 sq. ft. of net floor area used for sales or customer service plus 2 spaces per service bay.	Service bay shall not be counted as a parking space.
	Commercial Recreation and Entertainment		
	Auditorium, assembly hall, theater, convention center, and other places of assembly	1 space per each 5 persons based on design capacity of the main assembly area.	
	Indoor recreation facilities, health clubs, fitness centers, adult entertainment	1 space per 500 sq. ft. net floor area.	
	Outdoor recreation facility	To be determined by Zoning Administrator based on parking study.	Parking study required.

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	<i>Land-Use</i>	<i>Minimum Number of Off-Street Parking Spaces Required</i>	<i>Notes</i>
Commercial	Retail		
	Marina	2 spaces per 3 slips.	Additional spaces as needed for accessory uses such as boat sale/rental/service, retail, recreation and restaurant facilities.
	Boat landing	4 spaces per launch.	Spaces associate with launches shall be double depth to accommodate vehicles with trailers.
	Golf course, bowling alley or similar use	2 spaces per hole, lane or similar recreation station.	Additional spaces for accessory uses such as retail, tavern/bar and restaurant facilities.
	Campground	2 spaces per 3 camp site plus 2 spaces per 3 employees on the largest shift.	Additional spaces for accessory uses such as retail, tavern/bar and restaurant facilities.
Industrial, Production and Storage	Agriculture	2 spaces per 3 employees on the largest shift.	Additional spaces for accessory uses such as on-site retail.
	Industrial uses, including limited production and processing, light industrial, general industrial, heavy industrial, and other industrial uses not specified below	2 spaces per 3 employees on the largest shift.	Customer/visitor parking may also be required based on office use.
	Contractor office and showroom	1 space per 500 square feet net floor area.	
	Self-service storage facility	1 space per 500 sq. ft. net floor area of office or sales area plus 1 space	

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		per 10 individual storage units.	
	Wholesaling, warehousing, and distribution	1 space per 500 sq. ft. net floor area of office or sales area plus 2 spaces per 3 employees on the largest shift.	
	Other industrial activities that are conducted largely out-of-doors, including concrete, asphalt, and rock crushing facility, scrap yard, recycling, etc.	2 spaces per 3 employees on the largest shift.	
Transportation	Ground transportation service	To be determined by Zoning Administrator based on parking study.	Parking study required.
	Freight terminal- motor, rail or ship	3 spaces per 4 employees on the largest shift.	
	Package delivery service	2 spaces per 3 employees on the largest shift.	Additional parking may be required for delivery service vehicles.
	Airport	To be determined by Zoning Administrator based on parking study.	Parking study required.
Public Service and Utility	Government or public utility uses and buildings, public safety buildings	To be determined by Zoning Administrator.	Based on type of use (offices, storage, production, etc.).
	Communication facilities	As approved by CUP.	
	Yard waste site	As approved by CUP.	

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- (g) Limit on the number of off-street parking spaces provided. No site plan may be approved for a multiple-family or nonresidential use which contains more than two times the development's minimum number of required parking spaces, except as granted through a conditional use permit. Where no minimum parking requirement is established, the calculation for the maximum number shall be two times what the developments minimum would be if not exempt. Parking facilities containing ~~20-40~~ stalls or less are exempt from this regulation. The following criteria shall be reviewed in considering a conditional use permit request:
- (1) The proposed development has unique or unusual characteristics (such as high sales volume or low parking turnover) which creates a parking demand that exceeds the maximum ratio and does not typically apply to comparable uses.
 - (2) The lot is designed to allow for more intensive future site development that will create and utilize the additional parking demand.
 - (3) The need for additional parking cannot be reasonably met through provision of shared parking with nearby uses.
- (h) Parking studies. Where a parking study is required, the study shall be performed by a qualified transportation engineer or transportation planner. The study shall contain information on the anticipated number of employees, customers, visitors, clients, shifts, events, or deliveries to the use, and may refer to other studies or similar situations elsewhere.

(Ord. No. 19-19 , §1(13-1714), 9-17-2019)

Secs. 44-1727—44-1745. Reserved.

DIVISION 3. REGULATIONS SPECIFIC TO SINGLE-FAMILY AND TWO-FAMILY USES

Sec. 44-1746. Single-family and two-family residential driveways.

Driveways shall lead from the public right-of-way directly to a garage ~~door~~ opening plus 24 inches on either side said door or to a legal surface parking space, ~~and Driveways~~ are regulated as follows:

- (1) *Number of driveways.* Single-family uses are permitted one driveway per lot unless otherwise regulated in this chapter, subject to the design regulations specified herein. Two-family uses are permitted two driveways per lot unless otherwise regulated in this chapter, subject to the design regulations specified herein.
- (2) *Minimum driveway setback from property lines.*
 - a. *Narrow lots.* On lots with less than 60 feet of lot width/frontage, driveways shall be set back a minimum of one foot from the side lot line. On lots where the available side yard area prohibits the ability to create/maintain an eight-foot-wide driveway and the required setback as listed below, the setback may be administratively reduced or eliminated.
 - b. *Detached garages.* Driveways leading to detached garages shall meet the applicable side or rear setbacks for accessory structures established in the district in which it is situated or shall meet the side setback of an existing detached garage, whichever is less.
 - c. *Attached garages.* Driveways leading to attached garages shall meet the applicable side or rear setbacks for principal structures established in the district in which it is situated or shall meet the side setback of the existing attached garage, whichever is less.

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- d. *Uncovered parking.* Driveways leading to uncovered parking areas shall meet the applicable side or rear setbacks established within the parking section or shall meet the side setback of the existing legal uncovered parking area, whichever is less.
- (3) *Driveway width.*
- a. Driveways shall be a minimum width of eight feet. Driveways leading to garages are limited to a maximum width of 25 feet at the property line and 30 at the curb/pavement line (2½ foot apron flares), but may increase to the width of the garage. See Figure 3.A: Single-Family and Two-Family Drive Width and 3.B: Single-Family and Two-Family Drive Width-Enlarged with Taper.

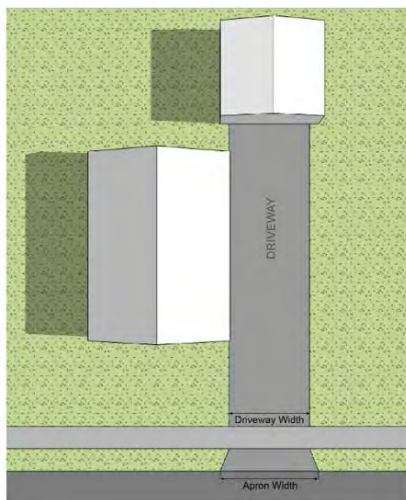


Fig. 3.A: Single & Two-Family Drive Width—Standard

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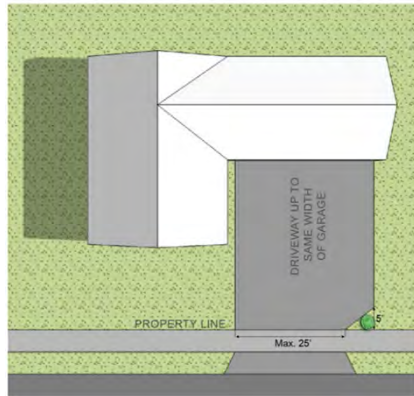


Fig. 3.B: Single & Two-Family Drive Width—Enlarged with Taper

- b. Where no garage exists, the maximum driveway width shall be 12 feet.
- c. Where the width of the driveway at the garage or other legal parking space exceeds the maximum width of the driveway at the property line, the driveway shall be tapered between the garage or the edge of a legal uncovered space and the property line starting a minimum of five feet inside the parcel. If said taper "triangle" is found to be driven over and in a deteriorated state, the city may require the installation of shall contain vegetation or other item designed to limit prohibit vehicular trespass. See Figure 3.C: Single-Family and Two-Family Drive Width-Taper Detail. When leading to a legal uncovered space, the driveway width shall be the least possible needed and shall not exceed 25 feet in width at the property line.

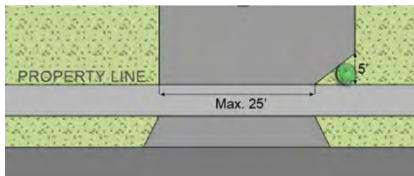


Fig. 3.C: Single & Two-Family Drive Width—Taper Detail

When leading to a legal uncovered space, the driveway width shall be the least possible needed and shall not exceed 25 feet in width at the property line.

- d. Driveways for two-family dwellings with adjacent garages are limited to the 25 feet maximum width at the property line for each individual driveway. Each individual driveway must be separated by a minimum of a two-foot green area extending the full length from the property line

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to the garage/uncovered parking space. Separation area shall contain vegetation or other item designed to limit vehicular trespass. See Figure 4: Two-Family Drive Separation.

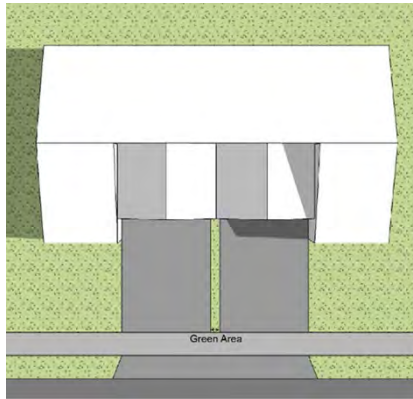


Fig. 4: Two-Family Drive Separation

- e. Side-loading drives. The maximum width of driveway leading to a side-loaded garage shall not exceed 12 feet, except for the area directly leading of the garage, where it can be increased to the width of the garage. See Figure 5.A: Alternative Single-Family and Two-Family Drives-Side Loading. The driveway shall not be located within the side yard setback.
- f. Circular drives. The maximum width of circular, horseshoe, and similar type driveways shall not exceed 12 feet, except for the area directly leading of the garage, where it can be increased to the width of the garage. See Figure 5.B: Alternative Single-Family and Two-Family Drives-Circular.

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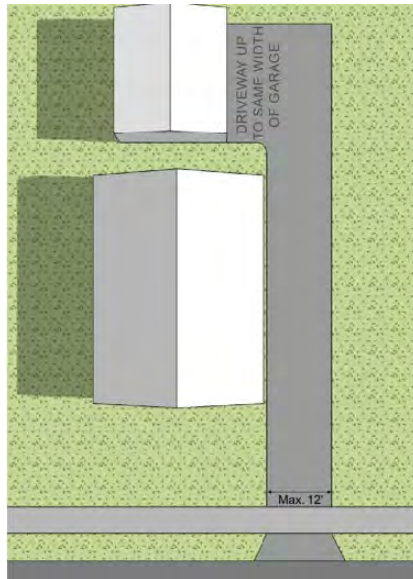


Fig. 5.A: Alternative Single & Two-Family Drives—Side Loading

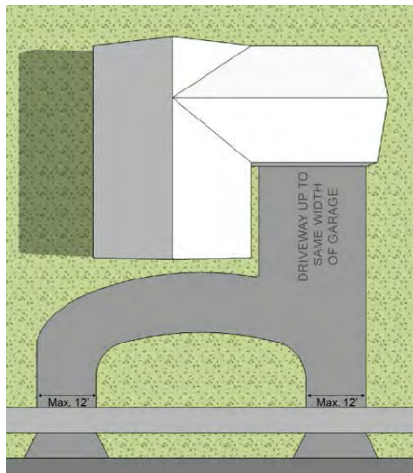


Fig. 5.B: Alternative Single & Two-Family Drives—Circular

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- g. Alley drives. The driveway may extend to the garage opening or may extend into the lot for 30 feet in width and 40 feet in depth but shall not extend into the side yard setbacks. See Figure 5.C: Alternative Single-Family and Two-Family Drives-Alley.

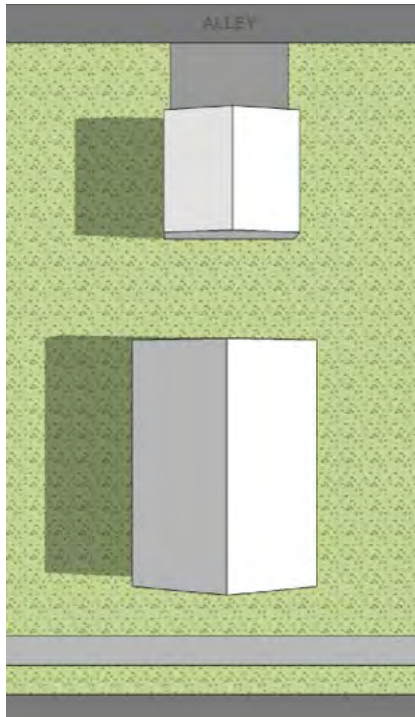


Fig. 5.C: Alternative Single & Two-Family Drives—Alleys

- h. In no case shall the maximum driveway width be cumulatively greater than 50 percent of the lot frontage.

(Ord. No. 19-19 , §1(13-1715), 9-17-2019)

Sec. 44-1747. Parking for single-family and two-family uses.

- (a) A minimum number of legal parking spaces shall be provided in conformance with Section 44-1726 and Figure 2: Number of Off-Street Parking Spaces Required by Land Use.

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- (b) On a lot containing a single-family or two-family dwelling unit, off-street parking shall not be located between the principal structure and a street right-of-way, except within residential driveways leading to a legal parking space or as otherwise permitted in this chapter.
- (1) Parking spaces a minimum of 8 feet wide by 15 feet deep must be provided either within a garage, in a driveway, or uncovered parking space[s] on the same lot of the use it is serving and shall meet the requirements of this section. See Figure 6.A: Single-Family and Two-Family Parking Space-Garage or 6.B: Single-Family and Two-Family Parking Space-Uncovered.

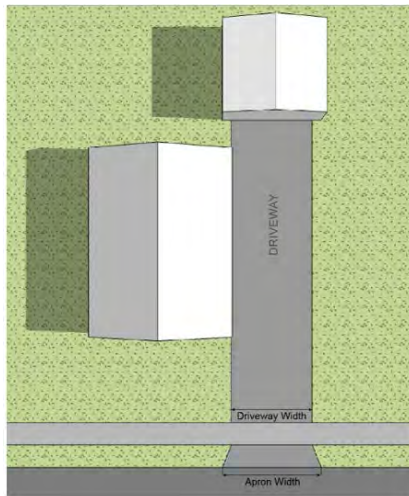


Fig. 6.A: Single & Two-Family Parking Space—Garage

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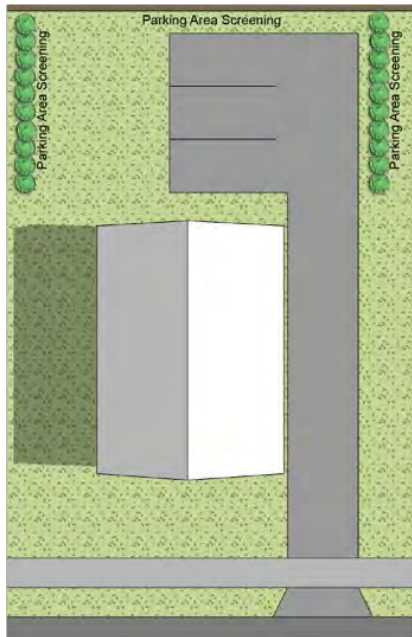


Fig. 6.B: Single & Two-Family Parking Space—Uncovered

- (2) Driveway parking. Driveways shall not count towards minimum parking stall requirement except as provided for narrow lots in subsection (c) of this section.
- (3) Uncovered parking spaces (not located in driveways).

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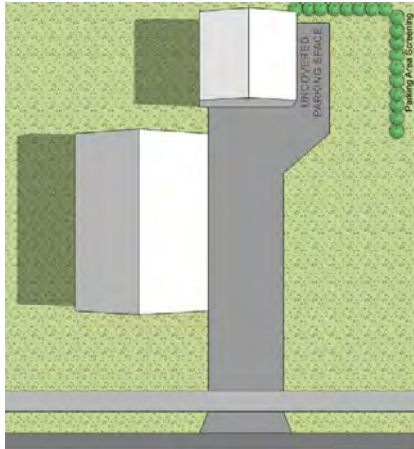


Fig. 7: Single & Two-Family Parking Space Beside Garage

- da. Front yard parking space exception. For single-family or two-family lots with attached single stall garages that are unable to provide parking as regulated in this article, a single parking space may be established next to the driveway between the front facade of the residence and the public right-of-way as regulated below.
- eb. Front yard space is limited to no greater than eight feet in width beyond the garage door opening but shall not be located in front of the primary entrance to the residence.
- fc. Lots shall not exceed the maximum impervious surface ratio for the applicable zoning district.
- (c) Driveway as legal parking space for single-family and two-family uses on narrow lots. Driveways may be considered legal "stacked" (meaning in front of one another) parking spaces for required stalls. A driveway parking space need not lead to a legal parking space but must be a minimum of eight feet wide and 15 feet deep.
- (d) Except for driveways leading to legal parking spaces or otherwise regulated in this article, parking is not permitted in the front yard.
- (e) ~~Uncovered parking spaces situated beyond the front facade of the principal structure must be screened with a minimum of five-foot tall vegetation, fencing, or other material that creates a solid screen, impervious to sight from adjacent properties, excluding views from where access is provided.~~
- (f) Parking of commercial vehicles and trailers in residential districts.
 - (1) The intent of this section is to preserve the orderly appearance and quiet enjoyment of residential neighborhoods while allowing reasonable flexibility for parking business-related vehicles. Specifically, this applies to motor vehicles that are driven off-site by a resident but are kept on the premises when not in use. This section shall apply to the following types of vehicles:

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- a. Commercial trucks, tractors, vans, pick-ups, or other motor vehicles not exceeding 10,000 pounds gross vehicle weight; and
 - b. Commercial trailers capable of being trailed behind a commercial motor vehicle that is allowed to be parked on the premises by this section.
- (2) Engines of commercial vehicles may not run continuously. A 30-minute engine warm-up time shall be permitted immediately prior to the commercial vehicle and/or any other motorized equipment leaving the premises. The warm-up period shall begin no earlier than 7:00 a.m. and end no later than 10:00 p.m.
- (3) Commercial trailers parked outside in residential districts shall be fully enclosed or be empty when not in transport.
- (4) Commercial trailers parked in residential districts shall be actually trailed and transported from the property no less than once per week.

(Ord. No. 19-19 , § 1(13-1716), 9-17-2019; Ord. No. 40-20, § 1, 12-1-2020)

Sec. 44-1748. Game day parking.

The Director of Community and Economic Development and/or Director of Public Works may permit vehicles to be parked on the front, side, and rear yards of residential, mixed-use, commercial, and industrial zoned parcels, on the days games are played in the City of Green Bay by professional football teams of the National Football League and/or during the day of a special event held at Lambeau Field when the event is expected to exceed an estimated attendance of 20,000 individuals, provided, however, that all parking shall occur outside the vision triangle as required in Section 44-359.

(Ord. No. 32-20 , § 1, 9-15-2020)

Secs. 44-1749—44-1772. Reserved.

*DIVISION 4. REGULATIONS SPECIFIC TO MULTIPLE-FAMILY, MIXED-USE,
INSTITUTIONAL, COMMERCIAL AND INDUSTRIAL USES*

Sec. 44-1773. Multifamily residential, mixed-use, institutional, commercial, and industrial use driveways.

- (a) *Number of driveways.* A maximum of one two-way driveway or two one-way driveways shall be permitted from each street right-of-way to which a lot or parcel has frontage, except under the following circumstances:
- (1) Multiple two-way driveways may be permitted on one street frontage, provided the distance between the driveway centerlines is no less than 200 feet.
 - (2) Mixed two-way and one-way driveways may be permitted on one street frontage, provided the distance between the driveway centerlines is no less than 200 feet.
 - (3) One three-lane driveway consisting of a one 12-foot ingress lane, a three-foot mountable rumble strip dividing island, and two ten-foot egress lanes may be administratively permitted per street frontage with concurrence of the Zoning Administrator and Traffic Engineer. This option should be limited to

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sites on streets with high traffic volumes and speeds and/or unique timeframes of mass ingress/egress, or other conditions making a standard driveway operate less than optimally.

- (4) Additional driveways may be permitted, if necessary, for the public safety and sufficient level of traffic circulation with approval of the Director of Public Works.

(b) *Minimum driveway setback.*

- (1) Driveways shall be set back as established for buildings in the zoning district for which the property they service is situated. Driveway access through the front yard setback area should be designed to minimize its presence within the front yard to the greatest extent practical.
- (2) Parking facility perimeter buffers. ~~Parking facilities in any yard abutting a public street or public walkway shall be separated from the street or walkway by a landscaped buffer meeting the requirements of Section 44-1966.~~ Parking facilities accessing parking areas abutting residential uses in residential districts shall be separated by a perimeter landscape buffer meeting the requirements of Section 44-1964.

(c) *Distances between curb openings.*

- (1) *On the same parcel.* The minimum distance between one-way driveways at the curbline shall be no less than 15 feet. Minimum distance between two-way drives at the curbline shall be 200 feet from center.
- (2) *On adjoining parcels.* Where two adjoining driveways abut, the maximum opening at the curb shall be the maximum for a single driveway, as listed in subsection (d) of this section. Both parcels must share the curb opening.

- (d) *Driveway width.* Driveway sizes are regulated at the property/right-of-way line and the curb/road pavement line as follows (See Figure 8: Three-Lane, Full Access Drive Detail):

(1) *One-lane, one-way access drives.*

One-Way Drives (Single Direction - Ingress or Egress)	Maximum Width of Drive at Property and Setback Line	Maximum Width of Drive at Curb or Pavement Line
Autos and single axle trucks	15 feet	25 feet
Semi-trailers	20 feet	30 feet

(2) *Two-lane, full access drives.*

Two-Way Drives (One-Ingress and One-Egress Lane)	Maximum Width of Drive at Property and Setback Line	Maximum Width of Drive at Curb or Pavement Line
Autos and Single axle trucks	25 feet	35 feet
Semi-Trailers	30 feet	40 feet

- (3) *Three-lane, full access drive (consisting of one 12-foot ingress lane, a three-foot mountable "rumble strip" dividing island, and two ten-foot egress lanes).*

Three-Lane Drives (One-Ingress, Divider and Two-Egress Lanes)	Maximum Width of Drive at Property and Setback Line	Maximum Width of Drive at Curb or Pavement Line

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All	35 feet	45 feet
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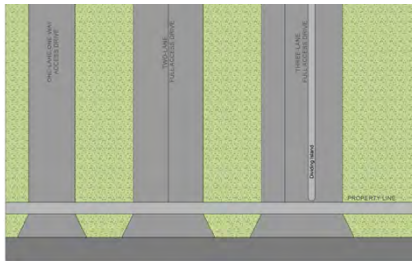


Fig. 8: One-Lane, Two-Lane & Three-Lane Access Drive Detail

- (e) *Flow.* Traffic may be restricted as to direction of flow.
- (1) Driveways approved for one-way movement only or three-lane drives shall be equipped with signage and pavement markings indicating its direction to motorists.
 - (2) Signs for directional movement of traffic shall be constructed and installed in accordance with City of Green Bay Standard Specifications and Construction Standards for Public Works.

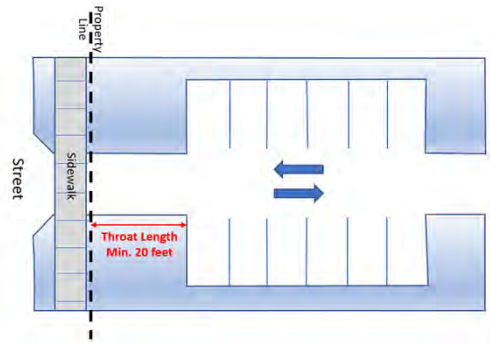
(Ord. No. 19-19 , §1(13-1717), 9-17-2019)

Sec. 44-1774. Off-street parking and traffic circulation standards for multiple-family and nonresidential uses.

- (a) *Location.*
- (1) Required parking and loading spaces shall be located on the same lot or development site as the use served unless otherwise regulated in this chapter.
 - (2) Off-site parking may be located up to 1,000 feet from the lot containing the use being served if the under common ownership or protected by a recorded instrument acceptable to the City.
- (b) *Setbacks.*
- (1) Parking areas shall be set back as established for buildings in the zoning district for which the property it services is situated.
 - (2) Special provisions for nonconforming parking facilities. Legally established parking facilities constructed prior to the effective date of the ordinance from which this article is derived which do not meet the minimum setbacks required by this article shall be permitted to be reconstructed with reduced setbacks, subject to approval of a parking plan by the Zoning Administrator. Said parking lot layout shall be designed in accordance with the dimensions identified in Figure 9: Parking Space Design Standards. Parking lot setback reductions shall only be permitted in the following instances:
 - a. To prevent the loss of legal parking spaces required by this article.

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- b. To prevent the loss of required internal circulation aisles.
- (c) *Circulation.* Parking facilities shall be designed to provide for the safe and efficient movement of all traffic entering, exiting, and circulating on the site. Circulation patterns shall conform to the general rules of the road. All traffic control measures shall meet the requirements of the Manual of Uniform Traffic Control Devices.
- (d) *Marking.* All off-street parking and traffic circulation areas shall be marked, striped, and maintained in a clear and visible manner which clearly indicates parking spaces, pedestrian walkways, and other designated areas.
- (e) *Curbing.* A minimum six-inch high curb shall be installed within parking areas where parking surface is adjacent to pedestrian and/or bicycle ways and internal landscape islands, except: Where bio-filtration or bio-retention methods of stormwater management are utilized as part of an approved grading and drainage plan, alternatives to the installation of curbing may be considered by the Department of Public Works, provided that measures are taken to protect landscaping from vehicular circulation damage.
- (f) *Access.* Each off-street parking space shall open directly upon a drive aisle or driveway that is wide enough to provide a safe and efficient means of vehicular access without directly maneuvering a vehicle into any pedestrian way or public right-of-way.
- (g) Driveway throat length. The minimum permitted throat length of access drives serving parking lots is 18 feet, as measured from the right-of-way/property line along the centerline of the access drive to the access point of any parking stall within the parking facility, as depicted below. In no case shall the driveway throat length be less than the required setback.



- (gh) *Lighting.* All off-street parking and traffic circulation areas shall be lit to ensure their safe and efficient use during evening hours. An illumination level shall meet the standards of Article V of this chapter.
- (hi) *Landscaping and screening.* Parking lots shall meet the landscaping requirements of Sections 44-1964 through 44-1969.
- (ij) *Parking space design standards.* Other than handicapped parking and permitted parking in residential driveways, each off-street parking space shall comply with the minimum requirements of Figure 9: Parking Space Design Standards.

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Figure 9. Parking Space Design Standards

Angle (A)	Width (B) *	Curb Length (C)	Stall Depth (D) **	1-Way Aisle Width (E)	2-Way Aisle Width (E)
0 (Parallel)	9'	22'	8'6"	14'	22'
45°	9'	12'	18'9"	14'	22'
60°	9'	9'10"	19'10"	18'	22'
90°	9'	8'6"	18'	20'	22'

* Subcompact spaces may account for up to 20 percent of the total parking area required. They may be reduced in size to a width of eight feet and a stall depth of 12 percent less than (D) in the table above and must be grouped and signed appropriately.

** Parking spaces that use an appropriately sized curb overhang over a landscaped island or buffer may be reduced in depth by 1½ feet. A concrete curb or other means shall be provided to prevent parked vehicles from damaging plant materials.

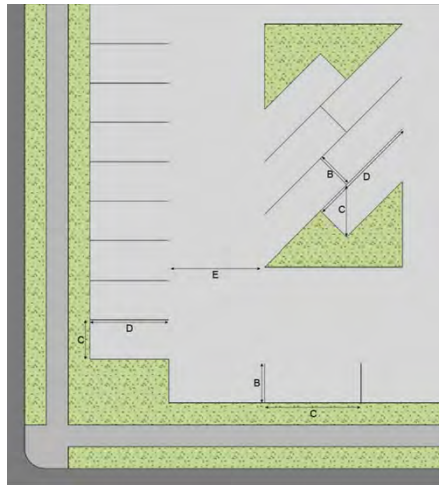


Fig. 9: Parking Space Design Standards

(Ord. No. 19-19 , §1(13-1718), 9-17-2019)

Secs. 44-1775—44-1796. Reserved.

*DIVISION 5. ALTERNATE PARKING OPTIONS FOR MULTIPLE-FAMILY, MIXED-USE,
INSTITUTIONAL, COMMERCIAL AND INDUSTRIAL USES*

Sec. 44-1797. Shared parking facilities.

- (a) Joint parking facilities which provide required parking for two or more uses are allowed a reduction in required number of parking spaces as specified below. Up to a 15 percent reduction in the number of required parking spaces for four or more separate uses, ten percent for three separate uses, and five percent for two separate uses may be utilized for a collective parking facility.
- (b) Day-night use parking facility. Shared day-night use parking facilities may provide a reduction in required number of parking spaces as specified below:
 - (1) Up to 70 percent of the parking facilities of nighttime/Sunday uses may be supplied by off-street parking facilities of daytime uses. Up to 70 percent of the parking facilities of daytime uses may be supplied by the off-street parking facilities of nighttime/Sunday uses.
 - (2) Daytime uses. For the purpose of this section, the following uses are considered as primarily daytime uses: banks, offices, certain retail stores and personal service shops, service and repair shops, wholesale, and similar uses as determined by the Zoning Administrator.
 - (3) Nighttime and Sunday uses. For the purpose of this section, the following uses are considered as primarily nighttime and weekend uses: theater, bowling alley, tavern/nightclub, auditorium incidental to a public or parochial schools, churches, and similar uses as determined by the Zoning Administrator.
 - (4) The applicant shall show that there is no substantial conflict in the principal operating hours of the buildings or uses for which shared parking is proposed.
 - (5) The use for which application is being made for shared parking shall be located within 1,000 feet of the use providing the parking facilities.
- (c) A legally binding instrument, executed by the parties concerned, for joint use of off-street parking facilities shall be approved by the City Attorney and filed with the City within 60 days after City approval of the joint parking use. Said agreement shall cover a period of no less than 20 years. Shared use parking privileges shall continue in effect only so long as such an instrument remains in effect, and if such instrument becomes legally ineffective, parking shall be provided as otherwise required in this article.

(Ord. No. 19-19 , §1(13-1719), 9-17-2019)

Sec. 44-1798. Valet parking.

- (a) Up to 50 percent of the off-street parking for restaurants, hotels, theaters, and similar uses may be fulfilled by maintaining a valet parking service for customers.
- (b) The valet service shall provide service to and from the main entrance with a passenger loading area, as approved by the Department of Public Works.
- (c) The parking area shall be located no farther than 1,000 feet from the main entrance.

(Ord. No. 19-19 , §1(13-1720), 9-17-2019)

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Sec. 44-1799. Employee off-site parking.

- (a) Retail, service businesses, large employers, major institutions and similar uses are encouraged to provide designated employee parking.
- (b) If a shuttle service is provided, such parking may be off-site in a remote location.

(Ord. No. 19-19 , §1(13-1721), 9-17-2019)

Sec. 44-1800. Ride-sharing and autonomous vehicles.

The intent of this section is to encourage the installation of passenger loading zone spaces to meet demand for passenger pick-up/drop-off generated by ride-sharing and/or autonomous vehicles on all land uses except single-family and two-family residential dwellings.

- (1) *Reduction to required parking spaces.* The number of required parking spaces for a use may be reduced by ten percent for each passenger loading zone space provided up to a maximum of 30 percent. The Zoning Administrator is authorized, at their discretion, to require the submission of a parking study per Section 44-1726(g) upon making the determination that such a reduction will result in a shortage of parking spaces needed for the subject land-use.
- (2) *Passenger loading zone space standards.*
 - a. Location. Each passenger loading zone space shall be located within 100 feet of the primary entrance/exit of a stand-alone use. Passenger loading zone spaces located in shopping centers and other multiple use developments may be located more than 100 feet from the primary entrance/exit of a tenant when placed in a centralized location, provided that a minimum of five-foot-wide pedestrian access to all tenants of the development is present.
 - b. Passenger loading zone spaces shall be separate and distinct from parking facility drive aisles, fire lanes, off-street loading areas, or other uses not explicitly dedicated to passenger loading/unloading.
 - c. Dimensions. Minimum of eight feet wide by 22 feet long with appropriate taper for safe ingress/egress.
 - d. Design. All vehicular ingress/egress to and from passenger loading zone spaces shall be in forward motion only. All passenger loading zone spaces shall be clearly marked and signed to signify that they are for loading and unloading of passengers and shall not be used for other purposes.
 - e. Amenities. Amenities such as sitting areas, shade structures, and landscaping are encouraged to be provided adjacent to the passenger loading zone spaces.
 - f. Accessibility. Passenger loading zone spaces shall be compliant with the Americans with Disability Act (ADA).

(Ord. No. 19-19 , §1(13-1722), 9-17-2019)

Secs. 44-1801—44-1818. Reserved.

DIVISION 6. PEDESTRIAN AND BICYCLE ACCESS AND PARKING

Sec. 44-1819. Pedestrian and bicycle access.

- (a) *Quantity.* For all multifamily, commercial, institutional, and industrial uses, a minimum of one pedestrian/bicycle access way is required to at least one street frontage.
- (b) *Off-site connections.* Pedestrian/bicycle access shall include appropriate connections to existing and planned public pedestrian and bicycle facilities. If none exist, the connection is unnecessary; however, the site plan must depict a location such access can be installed should public pedestrian and bicycle facilities be installed in the right-of-way in the future.
- (c) *On-site connections.* The entire development shall provide walkways for full and safe pedestrian and bicycle circulation within the development.
 - (1) Walkways shall provide pedestrian access through or around off-street parking areas from public walks and/or bicycle facilities to building entries which directly and continuously connect areas of pedestrian origin and destination.
 - (2) Design requirements.
 - a. Walkways shall have an acceptable dust-free surface not less than five feet in width, be separate from the parking lot drive aisle and delineated with pavement markings or alternate paving materials.
 - b. The entirety of the on-site pedestrian walkway system shall be consistent with the Americans with Disabilities Act.
 - c. The material and layout of the pedestrian walkway shall be continuous as the pedestrian access crosses a driveway or internal drive.

(Ord. No. 19-19 , §1(13-1723), 9-17-2019)

Sec. 44-1820. Bicycle parking standards for multiple-family and nonresidential uses.

- (a) *Required provision of bicycle parking areas.*
 - (1) For all multifamily, commercial, institutional, and industrial uses, a minimum of four bicycle spaces shall be provided if off-street parking for vehicles is provided.
 - (2) For parking lots containing more than 40 automobile parking spaces, off-street bicycle parking spaces shall be provided equal to five percent of the automobile parking space requirement, or 20 bicycle parking spaces, whichever is less.
 - (3) A nonresidential use's automobile parking requirement may be reduced by providing additional bicycle parking. After the bicycle parking requirement has been met, a minimum of four bicycle parking spaces may be provided in lieu of one required automobile parking space, with a maximum reduction of up to five automobile parking spaces.
- (b) *Specifications for bicycle parking spaces.*

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- (1) All bicycle parking provided shall be on a hard-surfaced area and be set back from walls and other objects so as to be functional. Freestanding bicycle parking racks shall be securely fastened to the ground.
- (2) Bicycle parking spaces and racks shall be located in a convenient and visible area no farther from the principal entrance to the building served than the closest automobile parking space. With the permission of the Department of Public Works, bicycle parking may be located in the public right-of-way.
- (3) Bicycle parking spaces shall be installed in conformance with setback requirements applicable to automobile parking lots. The placement of the racks shall not conflict with pedestrians and motorized traffic movements.
- (4) Covered spaces. If accessory automobile parking spaces are covered, bicycle parking spaces shall also be covered.

(Ord. No. 19-19 , §1(13-1724), 9-17-2019)

Secs. 44-1821—44-1843. Reserved.

DIVISION 7. OFF-STREET LOADING STANDARDS

Sec. 44-1844. Off-street loading requirements.

Off-street loading space shall be provided for any nonresidential use which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles and which will have a gross floor area of 5,000 square feet or more, subject to following minimum standards:

- (1) The off-street loading requirement for buildings with less than 20,000 square feet of gross floor area may be satisfied by the designation of a loading zone area on the site. This loading zone area shall be separate from any required off-street parking area, and access to it shall not conflict with automobile or pedestrian circulation within the site.
- (2) Buildings with 20,001 to 50,000 square feet of gross floor shall provide one loading space.
- (3) Buildings with 50,001 to 100,000 square feet of gross floor shall provide two loading spaces.
- (4) Buildings with 101,000 or more square feet of gross floor shall provide one additional loading space per additional 300,000 square feet.

(Ord. No. 19-19 , §1(13-1725), 9-17-2019)

Sec. 44-1845. Size and location.

- (a) Semi-trailer spaces shall be at least 55 feet in length, ten feet in width, and 14 feet in height, plus necessary additional maneuvering space.
- (b) No loading space shall be located in a front yard or at the front of a building. Loading spaces shall not be located between any building and a public street unless provided with adequate screening and landscaping, in compliance with Article XIX of this chapter.
- (c) Spaces shall be at least 50 feet from the property line of any residential property or residentially zoned property.

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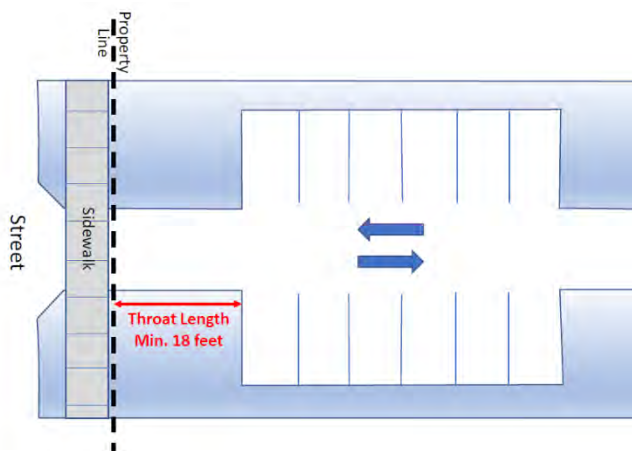
- (d) All loading spaces and driveways shall be surfaced with a dustless all-weather material meeting the standards for off-street parking areas and driveways and subject to the approval of the City Engineer.

(Ord. No. 19-19 , §1(13-1726), 9-17-2019)

Article XVIII-Off Street Parking, Drive, and Loading

Potential Amendments

1. **4-1691 (1)** – Better defined base material exposure as relates to work on nonconforming parking facilities. (Page 1 of 30)
2. **44-1693 (1)** – Allow snow removal equipment to be stored in parking facilities from Nov. through April, exclude s-f/2-f. (Page 2 of 30)
3. **44-1693 (2)&(4)** – Remove requirement that vehicles be registered and/or have license plates. (Page 1 of 30)
4. **44-1694 (b)** – Allow permeable pavers systems per DNR technical standards. (Page 1 of 30)
5. **44-1694 (c)** – Clarification on size of wheel strips. (Page 1 of 30)
6. **44-1697 (2)** - Require M-F and non-res developments at arterial intersections to only have driveways on side streets, including local streets. (Page 3 of 30). [See attached memo.](#)
7. **44-1698** – Require a functional area analysis to determine distance for driveways at intersections. Current 25'/35' is not sufficient and needs to be looked at individually. (Page 3 of 30). [See attached memo.](#)
8. **44-1726 (g)** – Add maximum # of stalls to areas that don't have a minimum and change exemption to max parking from 20 stalls to 40 stalls. (Page 12 of 30)
9. **44-1746** – Allow 24" of additional pavement beyond garage doors for s-f/2-f. (Page 12 of 30)
10. **44-1746 (3)(c)** – Remove requirement to use a vehicle trespass "block" on res. driveway taper, unless it becomes an issue. (Page 14 of 30)
11. **44-1747 (b)(1)** – Define s-f/2-f open parking stall to be 8' X 15'. (Page 18 of 30)
12. **44-1747 (e)** – Remove screening requirement for open parking on s-f/2-f uses. (Page 20 of 30)
13. **44-1773 (b)(2)** – Remove buffer requirements for parking lots abutting a street (Page 22 of 30)
14. **44-1774 (g)** – Add a 18' driveway throat length for m-f/non-res parking lots. (Page 24 of 30)





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MEMORANDUM

To: Green Bay Plan Commission
Principal Planner David Buck, AICP

From: Traffic Engineer David J.A. Hansen, P.E., PTOE

Re: Physical and Functional Area of an Intersection
Ordinance 44-1698, Access Distance from Intersections

Date: Monday, July 26, 2021

This memorandum serves as my response to Item E.5. on the Mon Jul 26, 2021 agenda of the Green Bay Plan Commission. *Content of this memo would only apply to intersections with at least one of the intersecting streets classified as an arterial.*

Executive Summary

The most critical area of an intersection is its functional area. This is the area where motorists have to make numerous decisions regarding turning, stopping, accelerating, exiting, merging, weaving, etc. Accesses that are too close to intersections can cause serious traffic conflicts and greatly impair the function of these facilities. DPW's goal is to eliminate accesses within the functional area of an arterial intersection and not permit new ones.

To make our streets safer and more user-friendly to all transportation modes including pedestrians and bicyclists, I am recommending that the Green Bay Plan Commission modify Sec. 44-1698, Access Distance from Intersections, of the Green Bay Code of Ordinances by approving of the proposed modifications and additions contained within this memorandum. When parcel size precludes compliance to intersection functional area, proposed driveways must be placed as far away from the intersection as possible with access first to the street with the lowest functional classification. Existing driveway distances from intersection already included in Sec. 44-1698 would apply to all non-arterial intersections, i.e., the 25 and 35 ft driveway approach distance conditions.

Physical and Functional Areas of an Intersection

Figure 1 shows the Physical and Functional Areas of an intersection.

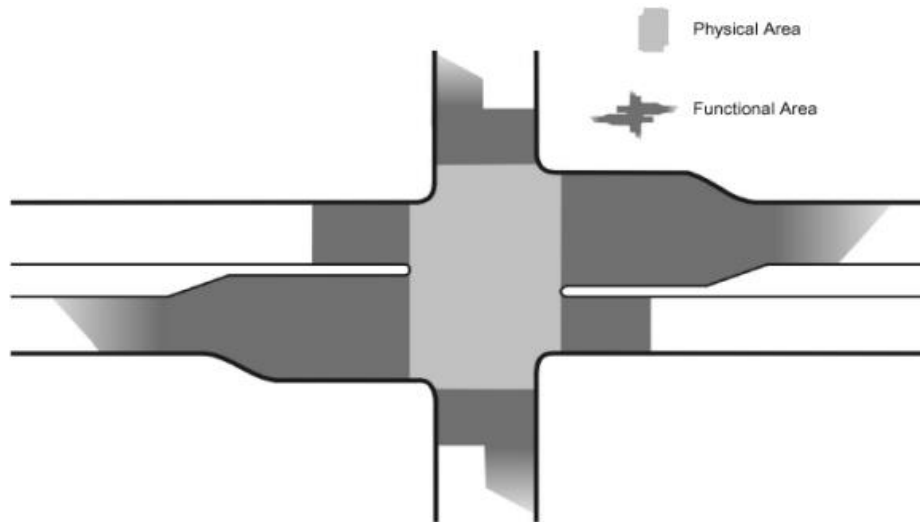


Figure 1 – Physical and Functional Areas of an Intersection

The Physical Area of an Intersection is the pavement area where the intersecting roads coincide. The points of curvature of the intersection radii define the outer boundaries of the area. The Functional Area of an Intersection includes the physical area, but also extends upstream and downstream.

Downstream Functional Length of Intersection

The downstream functional length of intersection is the length of road downstream from an intersection – as measured from the side road edge of pavement on the downstream side of the intersection - needed to reduce conflicts between through traffic and vehicles entering and exiting the roadway. See Table 1 for the minimum requirements. See Figure 2 for illustrations of downstream functional length of intersection.

Table 1 – Minimum Downstream Function Length of Intersection

Roadway Design Speed (mph)	Downstream Functional Length (ft)
15	80
20	115
25	155
30	200
35	250
40	305
45	360
50	425

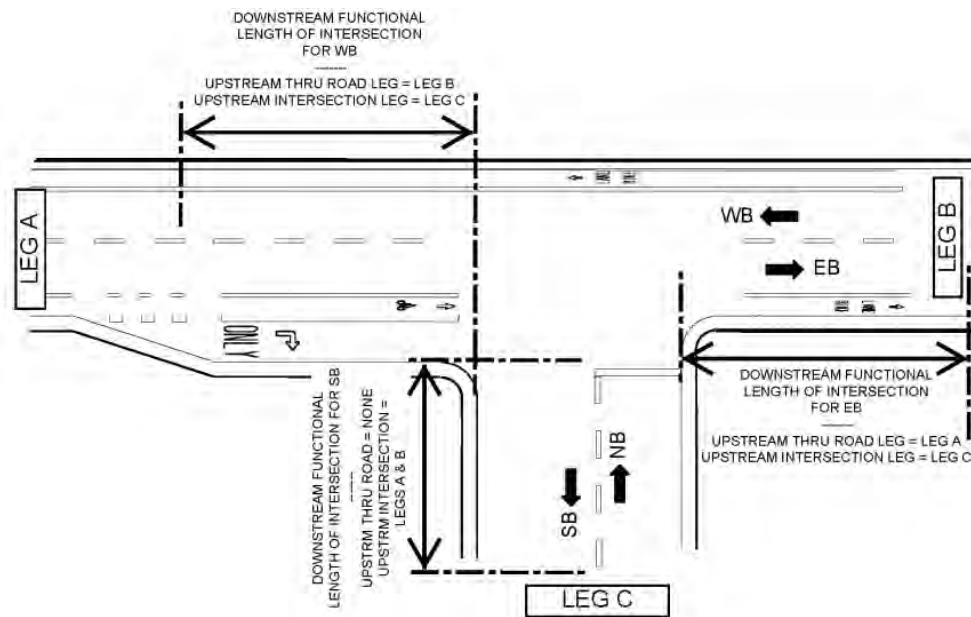


Figure 2 – Downstream Functional Lengths of Intersections

Upstream Functional Length of Intersection

The upstream functional length of intersection is composed of four elements as shown in Figure 3:

1. **d1** = distance traveled at operating speed during the driver's perception–reaction time (PRT). See Table 2.
2. **d2** = distance traveled as a vehicle clears a thru-lane and enters a turn lane by moving laterally 9-feet while braking. This is a more complex and demanding driving task than changing lanes only or braking only. See Table 2. This element does not apply (i.e., $d2=0$ -feet) to vehicles continuing in a thru-only lane or a shared turn lane/thru-lane because there is no lateral movement).
3. **d3** = distance traveled by vehicles in a turn lane while braking to a stop after a lateral shift from thru lane. For vehicles in a shared turn-lane/thru-lane or vehicles in a stopped/signalized thru-only lane, it is the distance traveled while braking to a stop after PRT. See Table 2. This element does not apply (i.e., $d3=0$ -feet) to vehicles continuing in an unstopped/unsignalized thru-only lane because there is no deceleration).
4. **d4** = queue storage length. Typically, use Highway Capacity Manual (HCM) or other modeling software to compute the queue storage requirement, but other methods are available. Confer with the City Traffic Engineer to determine the queue storage length.

On the Heavy Truck Routes, the storage distance ($d4$) may need to be adjusted to accommodate one oversize-overweight (OSOW) vehicle, depending on load frequency. Increased storage distance would not be required at intersections with non-truck routes.

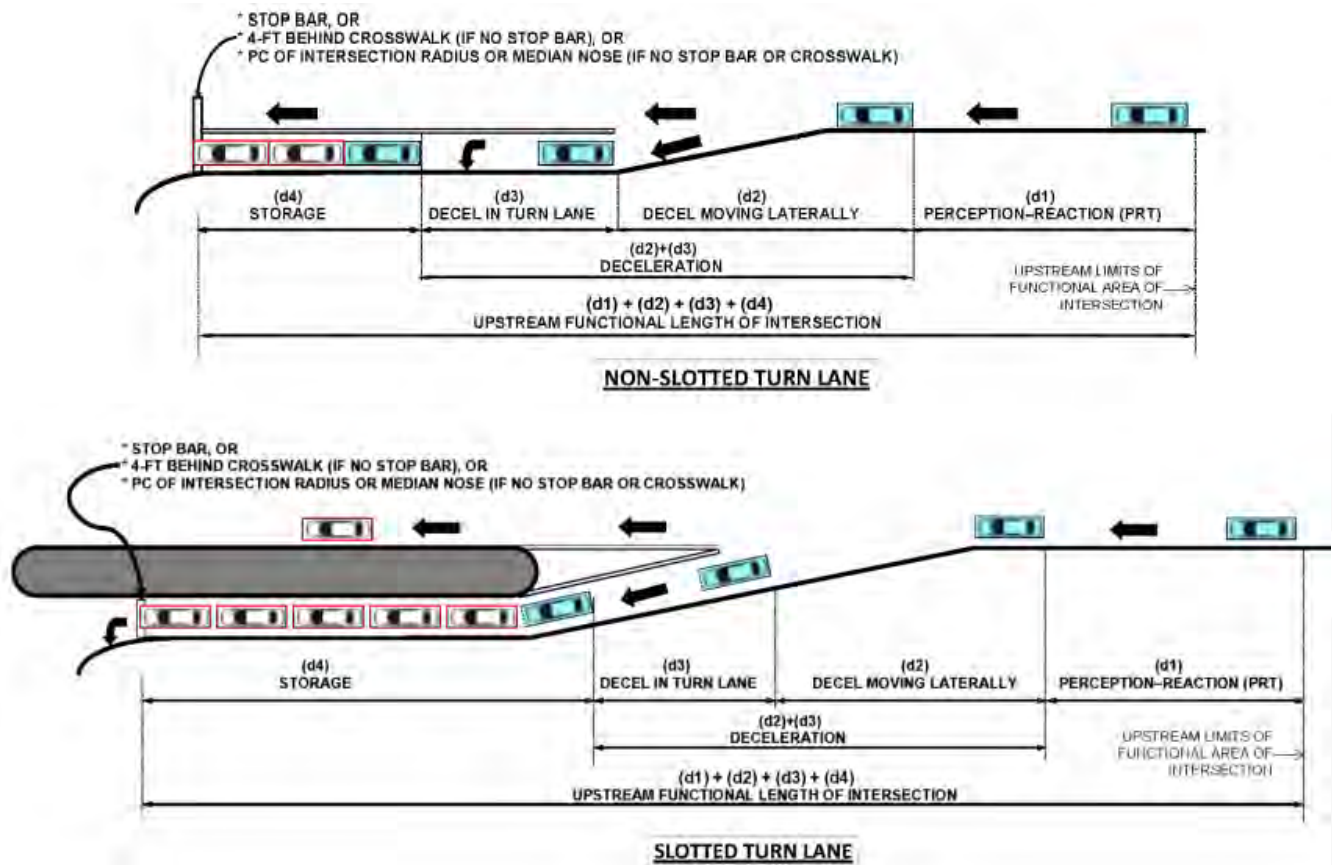


Figure 3 – Upstream Functional Length of Intersection Elements

Table 2 – Upstream Functional Length of Intersection Elements

Speed mph [B]	Perception-Reaction Distance		Maneuver Distance		
	d1 (feet)		d2 (feet)	d3 (feet)	
	typical (lower min)		typical (lower min)	typical (lower min)	
	Rural [C] [E]	Urban / Suburban [C] [F]	[C] [G]	Turn lane [D] [H]	Thru lane [C] [I]
25	90 (55)	55 (35)	75 (75)	25 (25)	100 (75)
30	110 (65)	65 (45)	95 (95)	75 (50)	145 (105)
35	130 (75)	75 (50)	110 (110)	100 (75)	195 (145)
40	145 (90)	90 (60)	130 (130)	150 (100)	255 (185)
45	165 (100)	100 (65)	150 (150)	200 (150)	325 (235)
50	185 (110)	110 (75)	165 (165)	250 (175)	400 (290)
55	200 (120)	120 (80)	185 (185)	325 (225)	485 (355)
60	220 (130)	130 (90)	205 (205)	400 (300)	580 (420)
65	240 (145)	145 (95)	225 (225)	475 (350)	680 (495)
70	255 (155)	155 (105)	240 (240)	575 (425)	785 (575)

Notes for Table 2.4

- [A] See Traffic Engineer for guidance on Upstream Functional Length of Intersection element **d4** (Queue storage length)
- [B] Use operating speed of travel lanes (except, not < 25 mph and not > design speed) - either as observed or as calculated using HCM or other appropriate method - Confer with the Region traffic engineer. Assume that free flow speed does not exceed Design Speed.
- [C] All dimensions rounded to nearest 5-feet
- [D] All dimensions rounded to nearest 25-feet
- [E] Typical distance based on a perception-reaction-time (PRT) of 2.5s.
Lower minimum distance based on a perception-reaction-time (PRT) of 1.5s.
- [F] Typical distance based on a perception-reaction-time (PRT) of 1.5s.
Lower minimum distance based on a perception-reaction-time (PRT) of 1.0s.
- [G] Applies only to turn-lanes
The **d2** distance is based on an assumed deceleration rate of 5.8 fps² based, which is based on a vehicle moving laterally 9-feet at an assumed lateral shift rate of 3 to 4 fps, while reducing its speed by 10 mph.
A vehicle is assumed to have cleared the thru traffic lane when it has moved laterally 9-feet. The speed differential between the turning vehicle and following thru vehicles is 10 mph when the turning vehicle clears the thru traffic lane. ³⁵
- [H] Applies only to turn-lanes
Distance to decelerate from [Speedminus10 mph] to [stop]
Typical **d3** distance based on a deceleration rate of 6.7 fps², which is the observed 85th-percentile rate.
Lower minimum **d3** distance based on a deceleration rate of 9.2 fps², which is the observed 50th-percentile rate.
- [I] Applies only to shared turn-lane/thru-lanes or stopped/signalized thru-only lanes
Distance to decelerate from [Speed] to [stop]
Typical **d3** distance based on a deceleration rate of 6.7 fps², which is the observed 85th-percentile rate.
Lower minimum **d3** distance based on a deceleration rate of 9.2 fps², which is the observed 50th-percentile rate.

An intersection approach may have a different upstream functional length for the thru lane(s), left-turn bay, and right-turn bay because of different queue storage requirements for those lanes. Each lane of a multi-lane approach can have a different upstream functional length. The upstream functional length for a thru lane is the longer of the functional length calculated for the thru lane and the functional length(s) calculated for the turn bay(s) adjacent to that thru lane.

The upstream functional length of intersection is not a static dimension, particularly on urban roads. It can vary because operating speeds and queue storage requirements vary during the course of a day. For example, during peak conditions, the queue storage requirement (d4) might be longer because there are more turning vehicles; but the PRT (d1) and maneuver distances (d2 & d3) might be shorter because operating speeds are lower. The opposite might be true during non-peak conditions.

Use the upstream functional length of intersection to design and evaluate turn bay lengths.

In addition, upstream functional length of intersection is a parameter for access control when determining acceptable locations for median openings and minimum separation between private accesses and public road intersections (i.e., corner clearance).

Discussion

The most critical area of an intersection is its functional area. This is the area where motorists have to make numerous decisions regarding turning, stopping, accelerating, exiting, merging, weaving, etc. Accesses that are too close to intersections can cause serious traffic conflicts and greatly impair the function of these facilities. DPW's goal is to eliminate accesses within the functional area of an intersection and not permit new ones.

A typical driveway consists of 23 conflict points along a four-lane undivided roadway. And research shows that the crash rate is 3.3 times higher for a 20-mph speed differential than for a 10-mph speed differential; 23 times higher for a 30-mph speed differential; and 90 times higher for a 35 mph speed differential, as documented by Stover & Koepke (Transportation and Land Development, 2nd edition. Institute of Transportation Engineers, 2006., p.5-37). Crashes resulting from excessive speed differential can occur up to several hundred feet from the intersection as well as at the intersection itself. The Wisconsin Department of Transportation has adopted intersection functional area policy along all state trunk highways.

It is understood that not all proposed driveways would be compliant due to parcel sizes. When parcel size precludes compliance to intersection functional area, proposed driveways must be placed as far away from the intersection as possible with access first to the street with the lowest functional classification.

Allowing access only via intersecting streets rather than at each abutting property best preserves the public investment in a road; fewer capacity expansions will be needed in the future, traffic flow will be maintained, and crashes will be reduced. Providing direct private property access onto an arterial may carry a high public cost. Maintaining direct property access on lower-speed local roads rather than an arterial promotes bicycle and pedestrian travel.

Conclusions

Applying intersection functional area principles to all arterial intersections will increase the traffic safety along those roadways and provide a better and safer experience for all road users including the applicants, the applicant's customers, and non-motorized users such as bicyclists, pedestrians, and micro-mobility users.

Recommendation

Approve of the proposed modifications and additions contained within this memorandum to Sec. 44-1698, Access Distance from Intersections, of the Green Bay Code of Ordinances. Existing driveway distances from intersection already included in Sec. 44-1698 would apply to all non-arterial intersections, i.e., the 25 and 35 ft driveway approach distance conditions.

