

Decision on Application 2016-656 Text Amendment – Age Restricted Parking

DATE: April 5, 2017

FROM: Jay Camp

Background/Issue

Planning Board recommended denial of the request due to concerns over how the new text might be applied in the future. The Board agreed with the concept but did not have enough detail to feel comfortable with the proposed text.

Planning Staff agrees that more definition is needed and is suggesting a new land use category be created. Two definitions below illustrate types of senior housing and are part of the text motion listed in the Consent Agenda for April 10th.

Proposed Solution

The proposed solution will come in two phases. First, the current text amendment request will be revised from “Dwelling, multifamily, 55+” to “Age- and Mobility-Limited Senior Housing”. This is the land use category that would be included in the parking table within the UDO.

155.103.C. Age- and Mobility-Limited Senior Housing shall mean a building or complex of buildings with 24/7 on-site management designed and intended for occupancy by older persons age 55 and up, as provided by exemption to the federal Fair Housing Act. Such location will include multiple dwelling units with some common walls and/or floors (duplex, townhouse, condominium, mutli-family, or similar styles) where the units are intended for senior citizen individuals or couples who can no longer, or choose to no longer, drive personal vehicles on a regular, daily basis. Such residents do not require hospitalization, skilled nursing care, memory loss, or assisted living oversight for recurring tasks as bathing, medications, dressing, or personal financial management. Individual dwelling units typically are studios, or one- or two-bedroom in layout, and shall include a living space, bathroom, area for sleeping, and area for food preparation. A resident's occupancy arrangement with the site shall include at least one meal per day in a congregate dining facility contained within the building or complex, and some form of scheduled transportation for residents. Examples of other services that may typically be made available include: all meals, housekeeping, linen service, laundry, medical alert system, pharmacy, banking, organized social activities, and concierge services.

Independent Living shall mean dwelling units designed for use by older persons who are mentally and physically capable of taking care of themselves on a regular basis, are under single management or cooperative, and that may be located within a Continuing Care Retirement Community (CCRC). Restriction of residency by age must meet provisions of the Fair Housing Act. These units are grouped together and provided with some level of common maintenance, recreational facilities, and security. A variety of additional amenities geared for older persons may also be made available for the residents.

Related Town Goal(s) and/or Strategies:

Quality of Life

Economic Development/Land Use Planning

Recommended Motion/Action:

Approve Revised Text for Zoning Application 2016-656. This parking standard can be approved knowing that the above definition will be going through the text motion process next month.

**SUGGESTED
STATEMENTS OF CONSISTENCY AND REASONABLENESS
Final Decisions on Zoning-Related Issues**

ZONING APPLICATION # 2016-652

Matthews Board of Commissioners makes the following 2 conclusions:

1) X The requested zoning action, as most currently amended, **IS CONSISTENT** with the policies for development as outlined by the Matthews Land Use Plan.

OR

 The requested zoning action, as most currently amended, **IS NOT CONSISTENT** with the Matthews Land Use Plan and/or other adopted land development policies and plans.

(A requested zoning can be found “consistent” and not approved, or found to be “not consistent”, but approved.)

2) X The requested zoning action **IS REASONABLE** and in the public interest because:
(ex., may be appropriate with specific surrounding land uses; has been shown that it will not create significant new traffic beyond area roads’ capacities; creates/increases desirable use in Town.)

The proposed parking ratio for age restricted communities creates parking that is appropriate for senior communities where there are not as many drivers as typical multifamily communities. The reduced parking requirement results in less pavement surface, allowing for more tree save and open space on development sites and less runoff into streams and creeks.

OR

 The requested zoning action **IS NOT REASONABLE** and in the public interest because:

(Reasons given for a zoning request being “reasonable” or “not reasonable” are not subject to judicial review.)

Decision Date 4/10/17