Subject: Consider Application for Land Use Management Ordinance Text Amendment-Independent Senior Living Facility Definition and Special Standards.

Staff: Mary Jane Nirdlinger, Executive Director
      Gene Poveromo, Development Manager
      Eric Feld, Community Sustainability Planner II

Department: Planning and Sustainability

Overview: Attached for your consideration is a proposed ordinance that would establish a definition and standards for a new “independent senior living facility” land use.

Staff Recommendation
That the Council adopt the Resolution of Consistency with the Comprehensive Plan and enact Revised Ordinance A to approve the Land Use Management Ordinance Text Amendment.

Decision Points:
- Should the Council close the public hearing or continue the hearing in order to receive additional information?
- Can the Council find that the proposed text amendment complies with Chapel Hill 2020 Comprehensive Plan and adopt the attached resolution of consistency?
- Should the Council enact the ordinance as proposed by staff, enact the ordinance with changes, or deny enactment of the ordinance?

Key Issues:
- Should the proposed definition limit the level of kitchen improvements in individual units within an independent senior living facility?
- Is a Higher Residential Zoning District required in order to permit an Independent Senior Living Facility?
- Please refer to the staff report for additional information.

Where is this item in its process?

Key Issues:

Council Goals:

Create a Place for Everyone
Support Community Prosperity
Facilitate Getting Around
Develop Good Places, New Spaces
Nurture Our Community
Grow Town and Gown Collaboration
Attachments:

- Manager’s Report
- Staff Memorandum
- Resolution of Consistency with the Comprehensive Plan
- Revised Ordinance A (Enactment of Text Amendment Proposal)
- Resolution A (Deny Text Amendment Proposal)
- Technical Report
- Applicant’s Text Amendment Materials
Overview: Attached for your consideration is a proposed ordinance that would establish a definition and standards for a new “independent senior living facility” land use.

The Land Use Management Ordinance requires a Manager’s recommendation for Land Use Management Ordinance Text Amendments.

Manager’s Recommendation
Tonight the Council continues the Public Hearing held on February 15, 2016 regarding a request from Lenity Architecture on behalf of Hawthorn Development, LLC for a text amendment that would allow independent senior living facilities as a permitted use.

I have reviewed and discussed with Town staff the Key Issue raised in Council discussion regarding the appropriate type of kitchen facility to allow within individual senior units.

Revised Ordinance A allows an independent senior living facility applicant to propose kitchen improvements (dishwasher, oven and stovetop range, etc.) similar to improvements typically found in a fully equipped kitchen. Revised Ordinance A defines this type of kitchen as “independent kitchen facilities.”

Alternatively, the Council may decide to amend the ordinance and define a specific standard for kitchen facilities in each unit (a “kitchenette” or “mini-kitchen” for example) that equals something less than a fully-equipped kitchen. Options for Council’s consideration are in the Staff Report.

I recommend that the Council discuss the proposed options and determine which option to include in Revised Ordinance A.

Based on the information in the record to date and the changes included in Revised Ordinance A, I believe that the Council could:

- Approve a resolution of consistency to confirm that the text amendment is consistent with the goals and objectives of the Chapel Hill 2020 Comprehensive Plan; and
- Make the findings required to enact Revised Ordinance A.

Further public comment concerning this application may be submitted at tonight’s public hearing.

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Overview: Attached for your consideration is a proposed ordinance that would establish a definition and standards for a new “independent senior living facility” land use.

This Staff Memorandum includes a discussion of recommendations, key issues, fiscal impact and required resources.

Recommendations
- **Staff:** That the Council adopt the Resolution of Consistency with the Comprehensive Plan, and enact Revised Ordinance A to approve the Land Use Management Ordinance Text Amendment.

- **Advisory Board/Commission Recommendations:**

<table>
<thead>
<tr>
<th>Advisory Board/Commission</th>
<th>Recommendation</th>
<th>Notes/Edits</th>
</tr>
</thead>
</table>
| Planning Commission       | ✓             | • Commission voted 5 to 0 to enact  
• Recommended increasing building setbacks and minimum lot size if underlying floor area, density is also increased (added to the Ordinance). |
| Community Design Commission |               |             |
| Transportation and Connectivity Advisory Board |               | The Land Use Management Ordinance does not require these Boards and Commissions to review or forward a recommendation on a rezoning to the Council |
| Environment and Sustainability Advisory Board |               |             |
| Housing Advisory Board    |               |             |

Key: ✓: Approval recommended  x: Denial recommended  : Comments

Key Issues
1) **Kitchen Improvements:** At the February 15, 2016 Public Hearing, members of the Council discussed the appropriate type of kitchen facility that should be permitted corresponding to a provision of the draft ordinance allowing kitchens in senior units.

Staff Response: We have included language in Revised Ordinance A to clarify that facilities may include “independent kitchen facilities” within senior units. The phrase “independent kitchen facility” is consistent with language describing kitchens within other definitions in the Land Use Management Ordinance. Upon consideration of a Special Use Permit for an independent senior living facility, the Council may have additional discussion regarding any plans to include independent kitchen facilities for residents.

Options for Consideration: Alternately, the Council may decide to adjust the language in Revised Resolution A and replace the proposed Independent Kitchen Facility with another definition (Kitchenette, Mini-Kitchen or other definition).
that would define a specific standard for kitchen facilities in each unit. Options for Council’s consideration include the following staff-suggested definitions:

a. **Independent Kitchen Facility**: A fully-equipped kitchen that may or may not include all of the improvements typically found in a single-family dwelling units.
   [This is staff’s recommendation and is included in Revised Ordinance A]

b. **Kitchenette**: An area that includes and is limited to a sink, refrigerator, stove top and/or microwave

c. **Mini-Kitchen**: An area that includes and is limited to a sink, small refrigerator, a microwave or hotplate.

2) **Rezoning to Higher Residential Density District**: Initially, this text amendment application tracked simultaneously with a separate application seeking to create Higher Density Residential Zoning Districts. At the February 15, 2016 Public Hearing, the Council referred the question of creating Higher Density Residential Zoning Districts to the Planning Commission for additional study and consideration.

   **Staff Response**: Tonight’s proposed text amendment includes language that would allow a proposed Independent Senior Living Facilities to submit an application for development, without seeking a rezoning to one of the Higher Residential Zoning Districts.

3) **Revisions to Ordinance A**: Since the Public Hearing, we have added the following definition to Ordinance A (Revised Ordinance A):

   a. **Independent Kitchen Facility**: A fully-equipped kitchen that may or may not include all of the improvements typically found in single-family dwelling units.

   Adding this definition to the Land Use Management Ordinance will allow the Council to consider the type of kitchen facilities, on a case-by-case basis, with the submission of each Special Use Permit for an Independent Senior Living Facility application.

**Fiscal Impact**: There are no fiscal impacts associated with the enactment of this proposed ordinance.

**Resources**: We do not anticipate the use of additional Town staff or financial resources.

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ATTACHMENT

RESOLUTION OF CONSISTENCY
(Enacting the Land Use Management Ordinance Text Amendment proposal)

A RESOLUTION REGARDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE AMENDMENT TO DEFINE AND REGULATE INDEPENDENT SENIOR LIVING FACILITY AS A PERMITTED USE AND CONSISTENCY WITH THE CHAPEL HILL 2020 COMPREHENSIVE PLAN (2016-03-21/R-12)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) to define and regulate “Independent Senior Living Facility” as a permitted use and finds that the amendment, if enacted, is reasonable and in the public’s interest and is warranted to achieve the purposes of the Comprehensive Plan as explained by, but not limited to, the following goals of the Chapel Hill 2020 Comprehensive Plan:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (Goal PFE.1)
- A range of housing options for current and future residents (Goal PFE.3)
- A welcoming and friendly community that provides all people with access to opportunities (Goal PFE.4)
- Balance and sustain finances by increasing revenues and decreasing expenses (CPE.1)
- Promote a safe, vibrant, and connected (physical and person) community (Goal CPE.3)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (GA.8)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Goal GPNS.3)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and evolving Chapel Hill’s character for residents, visitors, and students (Goal GPNS.5)
- Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Goal GPNS.8)
- Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (NOC.5)
- Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Goal NOC.8)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby finds the proposed text amendment to be reasonable and consistent with the Town Comprehensive Plan.

This the 21st day of March, 2016.
AN ORDINANCE AMENDING THE CHAPEL HILL LAND USE MANAGEMENT ORDINANCE TO DEFINE AND REGULATE INDEPENDENT SENIOR LIVING FACILITY AS A PERMITTED USE (2016-03-21/O-3)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) to define and regulate “Independent Senior Living Facility” as a permitted use and finds that the amendment, if enacted, is reasonable and in the public’s interest and is warranted to achieve the purposes of the Chapel Hill 2020 Comprehensive Plan.

NOW, THEREFORE BE IT ORDAINED by the Council of the Town of Chapel Hill as follows:

Section 1 – Appendix A – Definitions section within the Chapel Hill Land Use Management Ordinance is hereby amended as follows to include the following amended or new definitions:

“Adult day care facility: A use of land and buildings that provides care on a regular basis to aging, disabled or handicapped adults away from their homes, and by persons other than family members, guardians, or custodians, and where a payment, fee or grant is made for such care. The term adult day care facility shall not be construed to include a group care facility or independent senior living facility.

Independent Senior Living Facility: A commercial facility made up of senior units, in which the residents are limited in occupancy to persons at least 55 years or older, such that no more than half of individuals in a unit of the facility requires living assistance. The age restriction is excluded for rooms occupied by resident staff personnel performing duties directly related to the operation of the facility. The facility shall consist of a single building or a group of buildings with one ownership and management. The facility shall maintain a common dining room and common kitchen. The facility may provide senior units with or without independent kitchen facilities. The ownership and management may also provide other services, all of which must be exclusive to the residents, guests, and facility personnel, as a part of the fees associated with residency. Examples of these services include personal services, such as transportation, banking, and/or a barber shop/hair salon; recreation activities and amenities; concierge services; and housekeeping. The facility owners or management cannot provide health maintenance services and/or treatment.

Independent Kitchen Facility: A fully-equipped kitchen that may or may not include all of the improvements typically found in single-family dwelling units.

Senior Unit: A unit found in an Independent Senior Living Facility.”

Section 2 – Table 3.7.1 - Table of Permitted Uses section within the Chapel Hill Land Use Management Ordinance is hereby amended to add the following:
Section 3 – The table in Section 5.9.7 – Minimum and Maximum Off-Street Parking Space Requirements within the Chapel Hill Land Use Management Ordinance is hereby amended to add the following after “Hotel or motel” and before “Maintenance and/or storage facility”:

<table>
<thead>
<tr>
<th>Use</th>
<th>Vehicular Parking Town Center Zoning Districts</th>
<th>Vehicular Parking Non Town Center Zoning Districts</th>
<th>Bicycle Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Minimum Number of Parking Spaces</td>
<td>Maximum Number of Parking Spaces</td>
<td>Minimum Bicycle Parking Requirement</td>
</tr>
<tr>
<td>Independent Senior Living Facility</td>
<td>N/A</td>
<td>.7 per senior unit</td>
<td>Min 4; 1 per senior unit</td>
</tr>
</tbody>
</table>

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<tr>
<th>Use</th>
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<td>Independent Senior Living Facility</td>
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<td>.7 per senior unit</td>
<td>Min 4; 1 per senior unit</td>
</tr>
</tbody>
</table>

Section 4 – Article 6 – Special Regulations for Particular Uses within the Chapel Hill Land Use Management Ordinance is hereby amended to add the following:

“6.21 Independent Senior Living Facility

(a) The zoning lot on which an independent senior living facility is located shall have access onto an arterial or collector street in any residential zoning district.

(b) Periodic health and fitness services are permitted in an independent senior living
facility when provided by a third party pursuant to a written schedule and contract with the management of the facility. Permitted services include the provision of flu and other vaccinations, blood pressure testing, blood donation drives, and similar public health service activity.

(c) For independent senior living facilities in the Residential-4 (R-4), Residential-5 (R-5), or Residential-6 (R-6) zoning districts, where the minimum lot size is 1 acre or more in gross land area, the maximum density and maximum floor area ratio limits in Section 3.8 may be doubled.

(d) Where an independent senior living facility develops at a higher maximum density ratio or a higher floor area ratio than the underlying zoning district, as permitted by (c) above, the minimum setback and maximum height limitations of the lowest adjacent zoning district shall be applied.”

Section 6. This ordinance shall be effective upon enactment.

This the 21st day of March, 2016.
RESOLUTION A
(Declining the Land Use Management Text Amendment Proposal)

A RESOLUTION DENYING A PROPOSAL FOR A LAND USE MANAGEMENT ORDINANCE TEXT AMENDMENT TO DEFINE AND REGULATE INDEPENDENT SENIOR LIVING FACILITY AS A PERMITTED USE (2016-03-21/R-13)

WHEREAS, the Council of the Town of Chapel Hill has considered the proposed text amendment to the Land Use Management Ordinance (LUMO) to define and regulate “Independent Senior Living Facility” as a permitted use and fails to find that the amendment:

a) corrects a manifest error in the chapter, or
b) is justified because of changed or changing conditions in the area of the rezoning site or the community in general, or

c) achieves the purposes of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Council hereby denies the proposal to amend the Land Use Management Ordinance to define and regulate “Independent Senior Living Facility” as a permitted use.

This the 21st day of March, 2016.
Technical Report
Business Meeting – 03/21/2016

Topic Overview: The Technical Report discusses the proposed independent senior living facility definition and associated regulations (see Revised Ordinance A) and how the proposed ordinance complies with the Comprehensive Plan.

Text Amendment Summary: The proposal would expand the Use Matrix (Table 3.7-1) by inserting a new “independent senior living facility” land use and add associated regulations to the Land Use Management Ordinance. The proposed standards definition for this new land use generally mimics the existing definition of “adult day care facility” and clarifies that an independent senior living facility is a separate land use category with different standards and terms as described below.

Text Amendment Details:
1) Kitchens: The previous draft ordinance presented to the Council at the February 15, 2016 Public Hearing proposed allowing independent senior living facilities to provide kitchens within individual units. To provide consistency with other definitions in the Land Use Management Ordinance, the language in Revised Ordinance A clarifies that facilities may provide senior units with or without independent kitchen facilities.

2) Land Use Management Ordinance Text Amendment Findings
- The applicant’s materials are included as attachments to this memorandum. All information submitted during the open public hearing will be included in the record of the hearing. Based on the evidence submitted, the Council will consider whether it can make one or more of three required findings (listed below a-c) for enactment of the Land Use Management Ordinance Text Amendment. In order to establish and maintain sound, stable, and desirable development within the planning jurisdiction of the Town, it is intended that the Land Use Management Ordinance shall not be amended except:

   A) To correct a manifest error in the appendix; or
   B) Because of changed or changing conditions in a particular area or in the jurisdiction generally; or
   C) To achieve the purposes of the Comprehensive Plan.

- Following is a staff response to the three required considerations:
  o A) To correct a manifest error in the appendix
    ▪ Staff Comment: We believe the information in the record to date can be summarized as follows:

     Argument in Support:
     To date no arguments in support have been submitted.

     Argument in Opposition:
     To date no arguments in opposition have been submitted.

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1 http://chapelhill.granicus.com/MetaViewer.php?view_id=7&clip_id=2667&meta_id=120243
Technical Report
Business Meeting – 03/21/2016

○ B) Because of changed or changing conditions in a particular area or in the jurisdiction generally

Argument in Support:
“(Chapel Hill’s) Land Use Management Ordinance currently addresses very limited senior housing needs.” – Applicant’s Statement of Justification

“Senior housing demands, at all levels, will continue to increase and the adult day care facility and and group care facility housing option will continue to be a part of the senior housing mix that is meeting the growing demands for senior housing in Chapel Hill and throughout the nation.” – Applicant’s Statement of Justification

Argument in Opposition:
To date no arguments in opposition have been submitted.

○ C) To achieve the purposes of the Comprehensive Plan.
  ◦ Staff Comment: We believe the information in the record to date can be summarized as follows:

Argument in Support:
Relevant goals and objectives in the Chapel Hill 2020 Comprehensive Plan include, but are not limited to:

- Family-friendly, accessible exterior and interior places throughout the town for a variety of active uses (Theme: A Place For Everyone)
- A range of housing options for current and future residents (Theme: A Place For Everyone)
- A welcoming and friendly community that provides all people with access to opportunities (Theme: A Place For Everyone)
- Balance and sustain finances by increasing revenues and decreasing expenses (Theme: Community Prosperity and Engagement)Promote a safe, vibrant, and connected (physical and person) community (Theme: A Place for Everyone)
- A community that has a parking system based on strategies that support the overall goals of a holistic transportation system (Theme: Getting Around)
- A development decision-making process that provides clarity and consistency with the goals of the Chapel Hill 2020 comprehensive plan (Theme: Good Places New Spaces)
- A range of neighborhood types that addresses residential, commercial, social, and cultural needs and uses while building and
Technical Report
Business Meeting – 03/21/2016

evolving Chapel Hill’s character for residents, visitors, and students (Theme: Good Places New Spaces)
  • Future land use, form, and density that strengthen the community, social equity, economic prosperity, and natural environment (Theme: Good Places New Spaces)
  • Adopt an integrated development review process that is fair and transparent and that incorporates the Chapel Hill 2020 environmental goals (Theme: Nurturing Our Community)
  • Protect neighborhoods from the impact of development such as stormwater runoff, light and noise pollution, and traffic (Theme: Nurturing Our Community)

Argument in Opposition:
To date no arguments in opposition have been submitted.
Friday, April 17, 2015

Judy Johnson, Principal Planner
Town of Chapel Hill
Current Development / Planning and Sustainability
405 Martin Luther King Jr Blvd.
Chapel Hill NC 27514

Re: Application Package for Text Amendment
Use: Independent Senior Living / Congregate Care Facility

Dear Judy,

As a follow up to the digital file that was sent to you earlier today, please find enclosed the following had copy items and fee check to complete the application submission for the text amendment application:

- Signed Zoning Atlas Amendment Application
- Fee check # 011919 payable to the Town of Chapel Hill in the amount of $1199.00
- Proposed Draft Ordinance for the use definition - Independent Senior Living / Congregate Care Facility
- Written narrative and Statement of Justification

Please let me know if you need any addition items for this submission, have any questions or if I can be of further assistance in this matter.

Thank you

Mark D. Lowen
Land Use Manager
ZONING ATLAS AMENDMENT APPLICATION

Parcel Identifier Number (PIN): _____________________________ Date: 4/17/15

Section A: Project Information

Project Name: ___________________________________________
Property Address: _______________________________________ Zip Code: _______________________________________
Use Groups (A, B, and/or C): ________________________________ Existing Zoning District: _________________________
Project Description: Text Amendment to the Town of Chapel Hill Land Use Ordinance adding the use definition of Independent Senior Living/ Congregate Care Facility

Section B: Applicant, Owner and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed)
Name: Mark Lowen obo Hawthorn Development LLC
Address: 3150 Kettle Ct SE
City: Salem State: OR Zip Code: 97301
Phone: 503-399-1090 Email: markl@lenessarchitecture.com

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.
Signature: _____________________________ Date: __________

Owner/Contract Purchaser Information:

☐ Owner  ☐ Contract Purchaser

Name: _____________________________
Address: _____________________________
City: _____________________________ State: ___________ Zip Code: ___________
Phone: _____________________________ Email: _____________________________

The undersigned applicant hereby certifies that, to the best of his knowledge and belief, all information supplied with this application is true and accurate.
Signature: _____________________________ Date: _____________________________
The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919)968-2728 or at planning@townofchapelhill.org. For detailed information, please refer to the Description of Detailed Information handout.

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<th>Requirement</th>
<th>Amount Paid</th>
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<tbody>
<tr>
<td>Application fee (refer to fee schedule)</td>
<td>$1199</td>
</tr>
<tr>
<td>Pre-Application Meeting – with appropriate staff</td>
<td></td>
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<tr>
<td>Digital Files - provide digital files of all plans and documents</td>
<td></td>
</tr>
<tr>
<td>Mailing list of owners of property within 1,000 feet perimeter of subject property</td>
<td></td>
</tr>
<tr>
<td>Mailing fee for above mailing list</td>
<td></td>
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<tr>
<td>Written Narrative describing the proposal</td>
<td></td>
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<tr>
<td>Statement of Justification</td>
<td></td>
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<tr>
<td>Digital photos of site and surrounding properties</td>
<td></td>
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<tr>
<td>Legal description of property to be rezoned</td>
<td></td>
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<tr>
<td>Phasing Plan (if applicable) indicating phasing boundaries and phasing notes</td>
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<tr>
<td>Reduced Site Plan Set (reduced to 8.5''x11'')</td>
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</tbody>
</table>

**Plan Sets (10 copies to be submitted no larger than 24''x36'')**

Plans should be legible and clearly drawn. All plan sets sheets should include the following:
- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property Boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable

**Area Map**

- Project name, applicant, contact information, location, PIN, & legend
- Dedicated open space, parks, greenways
- Overlay Districts, if applicable
- Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- 1,000 foot notification boundary
Independent Senior Living / Congregate Care Facility

A facility for long-term residence exclusively for persons 55 years of age or older who may need limited assistance with daily living activities, and which should include at a minimum each of the following amenities and personal care services:

- Private living quarters that are designed for a maximum of double occupancy, and in which no full kitchen facilities shall be allowed (i.e. no dishwasher or oven)
- Daily prepared meals and a common dining area for congregate meals
- Housekeeping, laundry service and private bus transportation service
- Dedicated areas for social activities
- Dedicated areas for indoor and outdoor recreational activities

In addition, an independent senior living / congregate care facility may have up to two (2) units for onsite managers which contain full kitchen facilities.

Full-time medical or nursing care is not typically provided by the facility, but may be privately arranged for by individual residents on a part-time or temporary basis (e.g. visiting nurse or home health care).

It is typical for such facilities to have special safety, accessibility and convenience features designed for the needs of the elderly, such as emergency call systems to onsite staff, grab bars and handrails, and/or special door hardware, cabinets, appliances, passageways and doorways designed to accommodate wheelchairs.
Introduction

This is a request for a text amendment to the current Land Use Management Ordinance in the Town of Chapel Hill creating a land use definition of Independent Senior Housing / Congregate Care Facility. By adding this use definition to the current Land Use Management Ordinance it will provide a more current and pertinent use category that better reflects an important facet of the senior housing spectrum.

Background:

Independent Senior Housing / Congregate Care Facility are an important segment of ever growing senior housing segment of the housing market. Currently the Land Use Management Ordinance for the Town of Chapel Hill use definitions of Adult Day Care Faculty and Group Care Facility do not adequately address this type of use in Chapel Hill.

Goals and Objectives:

By adding the use definition of Independent Senior Housing / Congregate Care Facility identifies and clarifies this important facet of senior housing. It draws a clear distinction from other more intense uses like Assisted Living, Memory Care and Skilled Nursing Care Facilities. Allowing the Chapel Hill Planning Staff, CDC and City Council to identify and differentiate the various types of senior housing and the specific impact of their uses.

The creation of this new residential use definition would complete and complement other senior and similar uses within the Land Use Management Ordinance for the Town of Chapel Hill.

The original framework of the Chapel Hill Land Use Management Ordinance addresses basic residential housing and senior housing needs. Today, as a result of the growing senior housing demand, that erupted over 30 years ago providers of senior housing are expanding their services and amenities to better meet the needs and interests of this growing population. The limited definitions of Assisted Living and Nursing Home, no longer meet these needs. The establishment of a definition for Independent Senior Housing / Congregate Care Facility gives the Planning Staff, Town Leadership and local community a more clear understanding of this segment within the senior housing spectrum. Allowing for a better understanding of where this use best fits within the residential zoning spectrum for Chapel Hill.

Justification:

Amending the Land Use Management Ordinance to include a land use definition for Independent Senior Housing / Congregate Care Facility would establish clear guideline for this type of use and where it best applies to the residential housing sector.
ARTICLE 4.4 ZONING AMENDMENTS

The Article 4.4 of the Land Use Management Ordinance defining zoning may be amended only by the Chapel Hill Town Council for several defined purposes. The Chapter may be amended a) to correct a manifest error in the Chapter, or b) because of changed or changing conditions in the area or jurisdiction generally, or c) to achieve the purposes of the comprehensive plan.

The following information is provided in support of findings b and c above.

b) Changed or changing conditions in the area or jurisdiction generally:

Chapel Hill Land Use Management Ordinance currently addresses very limited senior housing needs. As a result of the growing senior housing demand, senior housing providers have expanded their services with many options to meet the needs and interests of our growing senior population. Limiting the land use definitions to only Adult Day Care Faculty and Group Care Facility (or Assisted Living and Nursing Home) no longer meets senior housing needs.

Senior Housing demands, at all levels, will continue to increase and the Adult Day Care Faculty and Group Care Facility housing option will continue to be a part of the senior housing mix that is meeting the growing demands for senior housing in Chapel Hill, North Carolina and throughout the nation.

c) To achieve the purposes of the Comprehensive Plan:

The Chapel Hill Comprehensive Plans 2000 & 2020 included many themes, goals and strategies and this proposed addition of a high density residential conditional zoning district to the Chapel Hill zoning ordinance supports and will assist in achieving many of the purposes set out in the Comprehensive Plans. In specific the following themes relate directly:

CHAPEL HILL 2020 COMPREHENSIVE PLAN

The Chapel Hill 2020 Comprehensive Plan articulated in Chapter 3: Themes and Goals, values that are important to the community. The Chapel Hill Retirement Residence will meet or exceed these goals as well as those expressed in the previous 2000 Comprehensive Plan all as described below.

A Place for everyone:
A range of housing options for current and future residents (PFE.3)

By adding Independent Senior Housing / Congregate Care Facility to the local ordinance it broadens the options for senior residential development, expanding those housing options.

Community Prosperity and engagement: Promote a safe, vibrant, and connected (physical and personal) community (CPE.3)

Locating a Independent Senior Housing / Congregate Care Facility within the existing community as adjacent or "in fill" development when properly designed, can provide opportunities for community space, connectivity, and other amenities to “Promote a safe, vibrant, and connected (physical and person) community” for its residents and the surrounding neighborhood.
Getting Around:
A connected community that links neighborhoods, businesses, and schools through the provision of greenways, sidewalks, bike facilities, and public transportation (GA.2); Connect to a comprehensive regional transportation system (GA.3); a transportation system that accommodates transportation needs and demands while mitigating congestion and promoting air quality, sustainability, and energy conservation (GA.6)

Independent Senior Housing / Congregate Care Facility sites are best located near easy access to the Chapel Hill Transit System allowing senior residents, a demographic more likely to utilize the public transit system. This adds to the overall community benefit of reduced tip counts, fuel and emissions savings.

Nurturing Our Community:
Maintain and improve air quality and water quality, and manage stormwater to heal local waterways and conserve biological ecosystems within the town boundaries and the Extra Territorial Jurisdiction (NOC.2); Support the Parks and Recreation Master Plan and the Greenways Master Plan to provide recreation opportunities and ensure safe pedestrian and bicycle connections (NOC.4); Protect neighborhoods from the impact of development such as stormwater runoff, light and noise Pollution, and traffic (NOC.8)

The use of Independent Senior Housing / Congregate Care Facility creates the opportunity for more residents on a 'smaller footprint' as compared to single family residential allowing for more invasive and pervious area and greater open space opportunities.

CHAPEL HILL 2000 COMPREHENSIVE PLAN
The Chapel Hill Retirement Residence is also consistent with principals of the Chapel Hill 2000 Comprehensive Plan. These provisions are described in the following text.

Maintain the Urban Services/Rural Buffer Boundary:
By including the use of Adult Day Care Faculty and Group Care Facility within the Town’s Urban Services/Rural Boundaries the town can better providing residents with convenient access to essential service via alternative modes (public transit and pedestrian options) of transportation.

Conserve and protect existing neighborhoods:
Providing opportunities for senior housing as infill upgrade and on undeveloped remainder parcels in existing neighborhoods adds the housing options for the current senior residents of Chapel Hill to “age in place and not be forced to relocate out of the area to find housing that meets their current needs preserving their participation in existing neighborhoods.

Conserve and protect the natural setting of Chapel Hill:
A typical design component of Independent Senior Housing / Congregate Care Facility and other senior housing, is creating a “park like setting” on the site. Preserving existing trees (evergreen and deciduous) as well as providing additional landscape plantings and other site features benefiting the residents and surrounding community.

Create and preserve affordable housing opportunities:
Senior Housing can provide a variety of settings and services. Some facilities and programs may offer a variety of affordable housing options. This could be addressed and determined on a case by case basis.
Cooperatively plan with the University of North Carolina at Chapel Hill:
Independent Senior Housing / Congregate Care Facility and Senior Housing in general should have no direct impact on the UNC at Chapel Hill campus.

Work toward a balanced transportation system:
Generally speaking Independent Senior Housing / Congregate Care Facility and other Senior Housing provides a housing use with fewer daily trips and peak hour trips than other uses of similar density. Reducing the traffic impact, as well as providing a segment of the local populations that support and utilize the Chapel Hill Transit System.

Complete the bikeway/greenway/sidewalk systems:
Development of Independent Senior Housing / Congregate Care Facilities can address pedestrian access and connectivity and future opportunities for connecting with pedestrian pathways (Chapel Hill Bicycle / Pedestrian Trail Network and / or the Chapel Hill Greenway Trails System) on a case by case basis.

Provide quality community facilities and services:
The development of Independent Senior Housing / Congregate Care Facilities and other Senior Housing provides another facet for smart development while allowing Chapel Hill seniors to age in place. With the additional component of providing the natural benefit of additional tax base dollars to support community services, transportation and infrastructure.