



DURHAM CITY-COUNTY PLANNING DEPARTMENT
Unified Development Ordinance (UDO)
Text Amendment Application



Applicant Information

Name: Meridian 2012 LLC d.b.a. Barlett Reserve	Telephone: 919-590-0384
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Proposed Amendment(s)

In the space below, provide details of the proposed amendment(s); attach additional sheets as needed. Please use the following format for each portion of the existing Ordinance proposed to change:

1. Current UDO Reference: (List Articles, Sections, and paragraphs affected);
2. Current and proposed text (with strike-out of deleted text and underline of proposed text), diagram, and/or illustration; OR detailed description of desired change; and
3. Justification for the amendment(s); include how this proposal may affect other portions of the UDO, as applicable.

Article 5, Use Regulations. Sec. 5.1.2--Use Table, Group Living: Insert "Retirement Center/Life Care Facility" as a permitted use in RS-M, RU-M, RC, OI, PDR, MU, DD and CD.

Article 10, Parking and Loading. Sec. 10.3.1.4--Parking Rate Table, Residential Uses, Group Living:
Insert "Retirement Center/Life Care Facility--Motor Vehicle Spaces: 0.6 spaces per unit.
Minimum Bicycle Parking: 1 per 20 employees; minimum 2 spaces."

Article 16, Definitions. Sec. 16.3--Defined Terms: Insert "Retirement Center/Life Care Facility: A development for 6 or more persons, provided that at least one resident per unit is age 55 or over. The facility provides housing and some degree of food service and may also provide individual assistance with some medical needs or housekeeping. The facility may also provide recreational facilities and some personal service shops such as a bank or barber shop/hair salon. Unit count shall be based on the provisions of the NC Building Code applicable to overnight accommodations."

Justification: See next page and attached Exhibits A & B.

Signature of Applicant (Required)

	9/9/2014
Signature of Applicant	Date

Tracking Information (Staff Only)

Assigned Case #: TC140005	Date Received: 9/9/14
Received By: AD	Fees Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No CK #1743

**JUSTIFICATION FOR TEXT AMENDMENT TO ADD
“RETIREMENT CENTER/LIFE CARE FACILITY”**

The UDO lacks a use category which serves the active, older adult community between the care-intensive Congregate Living Facility and the generic Multiplex/apartment with no services at all. The superseded Zoning Ordinance did provide for a "Retirement Center/Life Care Facility," which is a style of development that accommodates independent seniors. Unfortunately, and perhaps inadvertently, the UDO failed to carry over the "Retirement Center/Life Care Facility" as a defined use category when the UDO was adopted in 2006. With the exception of how to establish the number of units within the Retirement Center/Life Care Facility and including a specific age requirement, the definition provided in this proposed text amendment comes from the superseded Zoning Ordinance, and the definition neatly addresses this gap in the UDO.

Our research has disclosed that at least five of our peer cities across North Carolina (Raleigh, Wilmington, Winston-Salem, Charlotte and Cary) have a similar use category in their respective unified development ordinances (Exhibit A). While these current definitions from our peers are helpful, we believe that incorporating what Durham had in the superseded Zoning Ordinance into our UDO represents the best option for this text amendment. Furthermore, we researched the parking standards from our peer cities as well, and those parking ratios all reflect the reality that the proposed Retirement Center/Life Care Facility use requires less than one vehicle parking space per unit. In order to address staffing needs without reference to employment numbers, we propose that the required vehicular parking ratio be 0.6 spaces per unit, which appears to be a reasonable average of the parking standards shown in Exhibit A, so that the parking standard accommodates both residents and staff at the Retirement Center/Life Care Facility.

This text amendment will stimulate affordable, good-quality, market-based housing opportunities for independent seniors. Specifically, this “Retirement Center/Life Care Facility” component of the UDO can attract new investment to Durham through the adaptive re-use of under-performing or under-utilized office or hotel buildings. Located on NC 55 just south of NC 54, Bartlett Reserve is a fine example of such new investment and the adaptive re-use of an existing, but under-performing, extended-stay hotel. The 55+ age demographic represents the core population that is served by Bartlett Reserve.

The Durham UDO should facilitate the development of good-quality, affordable housing for independent seniors. For the five categories from age 55 to 85 years and over shown on the attached Durham County Census table (Exhibit B), four out of these five categories reflect the highest percentage increase among all age categories in the 2000 and 2010 census data for

Durham County, with such increases being 70%, 88%, 29% and 40% respectively. The UDO should reflect this reality. This text amendment will encourage private investment to meet this strong demand for independent senior housing that is derived from Durham's superb healthcare, community amenities and recreational opportunities.

We are not aware of this proposal affecting any other portions of the UDO.

Attachments

4845-8383-1581, v. 1

Raleigh Unified Development Ordinance

Life Care Community - Facility providing a continuum of residential and health care services to persons aged 62 years or older. Allows residents to continue living in the same complex as their housing and health care needs change. Life care communities may offer a variety of services such as congregate care, skilled nursing, health and wellness, recreational facilities, support services and entertainment and social uses, as well as offering a range of residential opportunities (apartments, townhouses, cottages).

Parking

Life Care Community Parking:

Vehicle Parking - 1 space per 3 units +1 per 400 SF administrative, employee, staff work area – additional spaces required for non-residential and residential uses at the ratio required by parking table.

Short-term Bicycle Parking- Required for nonresidential and residential uses at the ratio required by parking table.

Long-term Bicycle Parking - Required for nonresidential and residential uses at the ratio required by parking table.

Wilmington Unified Development Ordinance

Assisted Living Residence – Establishments licensed pursuant to G.S. Ch. 131D primarily engaged in the provision of residential, social and personal care for the elderly who have some limits on their ability for self-care, but where medical care is not a major element of the services provided at the facility. Settings in which services are delivered may include self-contained apartment units or single or shared units with private or area baths. Assisted living residences are to be distinguished from nursing homes subject to provisions of G.S. Ch. 131E.

Retirement Center and Life Care Center – A development that allows residents to age in place with flexible accommodations designed to meet health and housing needs as they change over time. These communities may include personal services, nursing care, and recreation amenities all collocated to enable seniors to remain within the community as they age.

Parking

Assisted Living Residence Parking:

1 space per 4 beds and 1 space per supervisor and staff person

Retirement Center:

No parking standard stated in Wilmington UDO.



Winston Salem Unified Development Ordinance

Life Care Community- An area of land under unified ownership planned and developed as a unit to provide for the transitional residence and care of persons aged fifty-five (55) years or older and/or handicapped. Life care communities may offer a full range of living and care arrangements, including independent living in attached or detached dwelling units, assisted living in congregate care facilities, and full time health care in nursing care institutions.

Parking

Life Care Community Parking:

Spaces required based on sum of principal uses, except 1 space per single family, duplex, twin home, or townhouse dwelling unit.

Charlotte Unified Development Ordinance

Active Adult Retirement Community- A housing development that contains a variety of housing types, that is designed for and restricted to occupancy by households having at least one member who is 55 years of age or older. Active adult retirement housing includes at least 5 of the following related facilities or services for residents: security entrance/registered access; exterior home maintenance; lawn maintenance; clubhouse with wellness and/or fitness facility, computer resources, central meeting areas, recreation/social director; condominium association comprised of homeowners who govern services for the community; walkways with 5% or less grade on average; and home designs using AARP Universal Design guidelines or equivalent.

Parking

Dwellings, multi-family, elderly or disabled Parking:

.25 auto spaces per unit

Cary Land Development Ordinance

Life Care Community- A building or group of buildings that contains dwelling units where the occupancy is restricted to persons who are least sixty-two (62) years of age, or married couples in which one person of the persons is at least sixty-two (62) years of age, and which provides nursing and/or medical care as well as support services, such common dining facilities, retail stores, and personal service establishments, which are operated by the owner of the life care community or lessees of the owner. Life care communities are designed to meet the residents' basic needs for shelter, food and health care, regardless of the level of independent of the individual resident and regardless of how these needs many change over time.

Parking

Life Care Community Parking:

Motor vehicle- 0.25 per resident +1 per each staff person

Bicycle Spaces- 1 rack per building

Durham County	2000	2010	% change
Total population	223,314	267,587	20%
Under 5 years	15,492	19,815	28%
5 to 9 years	14,672	16,563	13%
10 to 14 years	13,683	14,942	9%
15 to 19 years	14,926	17,952	20%
20 to 24 years	21,076	23,232	10%
25 to 34 years	42,336	48,956	16%
35 to 44 years	35,355	37,762	7%
45 to 54 years	28,376	34,132	20%
55 to 59 years	9,099	15,454	70%
60 to 64 years	6,725	12,662	88%
65 to 74 years	10,916	14,057	29%
75 to 84 years	7,881	8,166	4%
85 years and over	2,777	3,894	40%

Source: U.S. Census

