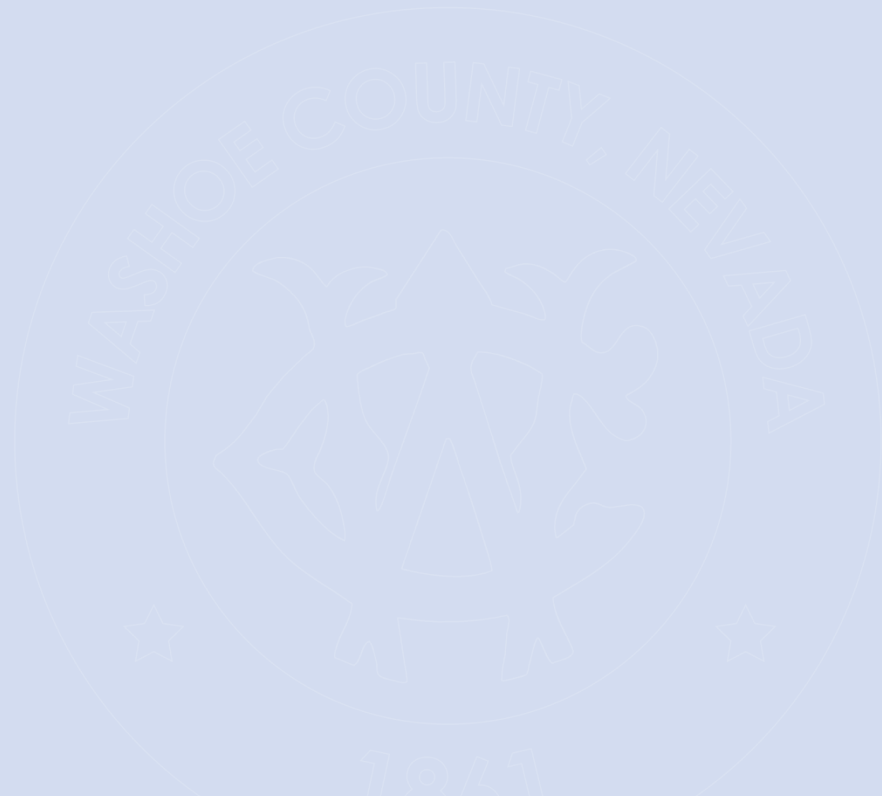




WDCA21-0003

Continuum of Care Facilities



Washoe County Planning Commission
May 4, 2020





Background/Request

- Increasing demand for senior housing and senior care facilities
- Current definition of Continuum of Care sets “Residential Density” as the basis of units
 - Conflicts between density and permissible zones
 - Current density is not conducive to allowing required densities for this use type.
 - Best locations would be in commercial districts that already have water, sewer, and ready access to medical services.



Residential Density

Regulatory Zones	MDS/MDS4	HDS	LDU	MDU	HDU	GC	NC
Continuum of Care Facilities	S2	S2	S2	S2	S2	S2	S2
Dwelling Units per Acre	3h	4h	7a	10b	21c	n/a	5

a - 7 dwelling units per acre single-family detached; 9 dwelling units per acre for attached single-family and mobile home parks

b - 10 dwelling units per acre for single-family detached; 14 dwelling units per acre for multi-family and 12 units per acre for mobile home parks

c - Multi-family

h - 3 dwelling units per acre single-family detached; 5 dwelling units per acre for both single-family attached and manufactured home parks within areas designated as Trailer (TR) Overlay zone in effect prior to May 26, 1993



Dwelling Unit

*"Dwelling unit" means any building or portion thereof, including a fabricated home or portion thereof, **which contains at a minimum permanent kitchen and bathroom (i.e. a toilet) facility**, but which may also include living, sleeping, and eating facilities as required by the Development Code, the International Building Code, and/or the National Manufactured Home and Safety Standards Act.*



Dwelling

- *"Dwelling" means any building or portion thereof used exclusively for residential purposes but **does not include hotels, clubs, boardinghouses or rooming houses, fraternity or sorority houses, or institutions.***





Current Interpretation

- **General Commercial – no density, effectively prohibiting a permissible use**
- **Potential issues allowing more density than allowed under regulatory zoning as residential density set in SUP.**
- **Issue is in the application of residential density to commercial uses**



Proposed Change – Article 304

- 110.304.25(k) Continuum of Care Facilities, Seniors. Continuum of care facilities for seniors use type refers to **commercial establishments** that provide ~~range~~ housing, activities and **twenty-four-hour skilled nursing or medical care** ~~health services~~ to allow for adults to age in place. ~~Residential density~~ **The number of continuum of care units** and parking standards shall be determined **through** ~~in~~ the special use permit process. ~~all~~ **All** other development standards shall apply. Facilities may include independent living, assisted living, nursing care, ~~and~~ hospice care, ~~as well as~~ accessory housing for staff, and medical facilities and services for residents.



Rationale– Article 304

■ Proposed changes achieve:

- Continuum of Care definition comes into full agreement with WCC110.304.15 :
 - Residential Use Types. Residential use types include the occupancy of living accommodations, but exclude institutional living arrangements providing twenty-four-hour skilled nursing, custodial or medical care and those providing forced residence, such as asylums and prisons.
- Remove residential density from definition
- 24 hours of skilled nursing, custodial, or medical care is a more specific standard than health services



Proposed Change – Article 904

- Density or Residential Density. "Density" or "residential density" means the number of dwelling units per gross acre for residential uses as **defined in Article 304, Use Classification System.**
- Dwelling. "Dwelling" means any building or portion thereof used exclusively for residential purposes but does not include hotels, clubs, boardinghouses or rooming houses, fraternity or sorority houses, **continuum of care facilities** or institutions





Proposed Change – Article 904

- Dwelling Unit. "Dwelling unit" means any building or portion thereof, including a fabricated home or portion thereof, which contains at a minimum permanent kitchen and bathroom (i.e. a toilet) facilities **for residential use types as defined in defined in Article 304, Use Classification System**, but which may also include living, sleeping, and eating facilities as required by the Development Code, the International Building Code, and/or the National Manufactured Home and Safety Standards Act
- **Continuum of Care Unit – A unit that is within a continuum of care facility that includes living and sleeping facilities as defined by the Development Code, the International Building Code, and/or the National Manufactured Home and Safety Standards Act.**



Rationale– Article 904

- **Proposed changes achieve:**
 - Clear application of Density to strictly residential uses
 - Exclusion of Continuum of Care facilities from definition of dwelling
 - Clear application of Dwelling Units to strictly residential uses
 - Definition of Continuum of Care Uses for staff, the Planning Commission, and Board of Adjustment to use in regulating this use type.



Neighborhood Meeting

- **Held March 10th**
 - Comment involved the applicability to short term rentals on a prior draft
 - Current draft is more targeted and does not address regional land designations.



Development Code Amendment Findings

- **1. Consistency with Master Plan.** The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan.
- **2. Promotes the Purpose of the Development Code.** The proposed Development Code amendment will not adversely impact the public health, safety, or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code.
- **3. Response to Changed Conditions.** The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
- **4. No Adverse Effects.** The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.



Recommendation

Those agencies which reviewed the application recommended conditions to address applicable codes and impacts associated with the project. After a thorough analysis and review, staff recommends that the Planning Commission carefully consider all aspects of Development Code Amendment number WDCA21-003 and the nature of the stringent recommended conditions of approval and approve the requested Development Code Amendment.





Possible Motion – Special Use Permit

- **Approval:**

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA21-0003, to amend Washoe County Chapter 110 (Development Code) within Articles 304 and 902; and, to update these sections within Articles 304 and 902. I further move to authorize the Chair to sign the resolution contained in Attachment A on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission’s recommendation to the Washoe County Board of County Commissioners within 60 days of today’s date. This recommendation for approval is based on all the following four findings in accordance with Washoe County Code Section 110.818.15(e):