



PLANNING COMMISSION MEETING STAFF REPORT

DATE OF MEETING: November 15, 2017
NAME OF APPLICANT: Midway City
AGENDA ITEM: Code Text Amendment of Title 16

ITEM: 8

Midway City is proposing a Code Text Amendment of Midway City's Land Use Code of Title 16 regarding Residential Facilities for Elderly Persons, Rest Homes, Nursing, and Convalescent Facilities. The City would like to review the current code and potentially amend the regulations for these facilities.

BACKGROUND:

Staff is proposing an amendment to the Land Use Code regarding Residential Facilities for Elderly Persons, Rest Homes, Nursing, and Convalescent Facilities. The reason for the amendment is not to limit the use in any of the zones where they are currently permitted but to limit the number of residents based on if the zoning is commercial or residential. Currently there is no limit to the number of residents for any of the facilities listed above. Without a limit in the code, it is possible someone could propose, for example, a 200-resident facility in a single-family dwelling residential zone. A facility that would house that many residents would be much larger than any of the dwelling structures in the zone. Staff is recommending that a limit of residents per facility is adopted to avoid a future conflict where a facility is proposed in a residential zone that the community feels is too large for the surrounding area. A large facility would have the feel of a commercial use in a residential zone.

Staff is proposing that the limit of residents for Residential Facilities for Elderly Persons, Rest Homes, Nursing, and Convalescent Facilities is 12 in all residential zones (R-1-7, R-1-9, R-1-11, R-1-22, and RA-1-43). The limit in commercial zones should be higher based on the reasoning the density limit is higher and many services are located nearby creating a walkable area for residents. Mixed use projects have a density limit of 20 units per acre in commercial zones, so staff is proposing to limit the number of residents in for Residential Facilities for Elderly Persons, Rest Homes, Nursing, and Convalescent Facilities to 20 residents.

Staff would like to gather input from the Planning Commission and public so that ideas can be formed if an amendment of the requirements is recommended.

ALTERNATIVE ACTIONS:

1. Recommendation for approval. This action can be taken if the Planning Commission feels that the proposed language is an acceptable amendment to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings

2. Continuance. This action can be taken if the Planning Commission would like to continue exploring potential options for the amendment.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Recommendation of Denial. This action can be taken if the Planning Commission feels that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial