

September 15, 2014

Zoning Commission
441 4th Street, N.W.
2nd Floor South
Washington, D.C. 20001

RECEIVED
J.C. OFFICE OF ZONING
2014 SEP 15 PM 3:49

Re: Goulston & Storrs Comments to ZC Case No. 08-06A (Title 11, Zoning Regulations - Comprehensive Text Revisions)

Dear Members of the Commission:

We would like to propose that the Zoning Regulations pending before the Zoning Commission be amended to include a definition for a continuing care retirement community ("CCRC"). CCRCs refer to communities that serve senior citizens in various lifestyle stages depending on age and health. They are designed to meet changing senior demands by providing a series of housing options on a single campus that are tied to the level of care a resident needs, allowing the resident to "age in place." The hallmark of a CCRC is the continuum of care that it provides: they typically provide independent living, assisted living and nursing care options. This provides residents with access to the care they need, when they need it, all within a single community. The CCRC model provides flexibility in both housing options and healthcare, allowing seniors to have as much or little care as necessary.

The Zoning Regulations do not currently include a definition for CCRCs. This is problematic because the senior population in the District is rising, yet, the Zoning Regulations are not well equipped to address trends in senior care. The Zoning Regulations currently group CCRCs together with other forms of community-based housing that does not specifically serve the interests of the senior citizen community. CCRCs align most closely with community residence facilities ("CRF") and health care facilities ("HCF"). A CRF is defined as a facility that meets the definition for and is licensed as a CRF under the Health Care Facilities and Community Residence Facilities Regulations. Independent living beds are an integral part of the continuum of care, yet do not fit well under either definition.

We undertook a survey of numerous jurisdictions to determine how they handle this issue and found that like the District, most other locales are struggling to incorporate the CCRC concept into its zoning regulations. Harford County, Maryland provided one of the more comprehensive definitions that we reviewed:

Continuing Care Retirement Community: A building or group of buildings providing a continuity of residential occupancy and health care for elderly persons. This facility includes dwelling units for independent living, assisted living facilities, plus a skilled nursing care facility of a suitable size to provide treatment or care of the residents; it may include ancillary facilities for the further employment, service or care of the residents. The facility is restricted to persons 60 years of age or older or couples where either the husband or wife is 60 years of age or older.

Such facilities must meet the current standards as set forth in the Human Services Article of the Annotated Code of Maryland, as amended.

Any definition of CCRC must account for the different housing options that are provided on a CCRC campus, including independent living, assisted living, and nursing care. Additional categories of care may also be provided, such as memory care. Another key component of the CCRC is the ancillary facilities that are provided for residents. These can range from spas, restaurants, coffee houses to wellness centers where off-site doctors can hold "office hours" on-site so residents don't have to leave the campus, as they otherwise would.

We propose allowing CCRCs in the same Zone Districts where CRFs and HCFs are allowed. Since CRFs and HCFs largely require special exception approval in residential zone districts, the Board of Zoning Adjustment would still be able to assess the impacts of a CCRC on neighboring properties before approving it.

We're happy to provide any additional information or submit a proposed definition if that helps facilitate this amendment.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin", with a stylized flourish at the end.