

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: January 22, 2007

Agenda Item: 7 (D)	Prepared By: Bryan Milk, City Planner Date: January 15, 2007
Agenda Section: Business: Ordinance – Second Reading	
Subject: Amendment to Chapter 30 of the Land Development Code to allow a CCRC in the C-1 Zoning District as a conditional use.	
Department: Community Development	

BACKGROUND:

Council is considering second reading of an amendment to Section 30-184 of the Marco Island Land Development Code (LDC) to provide a continuing care retirement community (CCRC) in the C-1 zoning district as a conditional use. First reading of the proposed ordinance was considered on January 8, 2007, and was approved 5 to 2 subject to providing provisions for a physician and nurse practitioner on duty 12 hours per day at the walk-in medical clinic, and earmarking independent units/suites as residential density at a maximum density of nine units per acre. Specific changes to items d. and h. of the proposed ordinance are highlighted by the following ~~strike through~~ and underlines:

12) Continuing Care Retirement Community (CCRC) subject to the following criteria:

Continuing Care Retirement Community (CCRC) means a continuum of care living environment, licensed by the department of insurance of the state pursuant to Chapter 651, Florida Statutes, that provides for independent, assisted and skilled nursing care, shelter, food, nursing care and personal services as defined in Section 400.402(17), Florida Statutes.

a. The CCRC complex together with the individual living units shall be under common ownership. Living units shall not be individually sold, transferred or conveyed to a third party such that fee simple ownership of an individual living unit is separated from the remaining living units. Resident payments for living units may be through an endowment or individual living units may be rented together with accompanying maintenance fees for health care services.

b. A helipad shall be provided on sites greater than 10 acres. The helipad shall be reviewed and approved by the Federal Aviation Administration (FAA). The Board of Zoning Appeals may waive this requirement if there is sufficient evidence that the FAA will not approve a helipad on the site.

c. Interconnection and shared use of driveways and sidewalks shall be provided throughout the site and made available to abutting commercial property

d. In conjunction with the CCRC the operator shall provide as a community service a walk-in medical clinic staffed with qualified healthcare professionals, which shall include at a minimum ~~a nurse practitioner with~~ a physician on call 24 hours per day, a physician on duty 12 hours per day, and a nurse practitioner on duty 12 hours per day. Specific hours desired for the physician and nurse practitioner shall be determined during review of the petition. The clinic shall be open to the public 24 hours a day and 7 days a week, and can be co-mingled within the CCRC facility or in a separate building.

e. The CCRC complex shall operate pursuant to Chapter 651, Florida Statutes guidelines and maintain all licenses for such CCRC facility.

f. Prior to making application, the applicant for this conditional use shall have applied for and obtained from the State of Florida a Provisional Certificate of Authority pursuant to Section 651.022, Florida Statutes, or the equivalent of such authorization under any subsequent statutory revision.

g. Mix of Units: The application for conditional use shall include a plan for independent, assisted, and skilled nursing units, which plan may include a phased schedule for development thereof. The number of independent units shall not exceed 75% of the total units and the number of skilled nursing units shall not be less than 10% of the total units; provided, however that based upon the submission of a supporting market study the percentage of independent units may be increased by the Board of Zoning Appeals from 75% to 80%.

h. Independent units/suites provided in a CCRC shall not be considered as residential density and shall not exceed nine units per acre.

Companion to this item is an ordinance amendment to building heights for mixed use development in the Commercial Overlay Districts and considers deleting mixed use from the Community Commercial Sub-district.

RECOMMENDED ACTION:

Conduct public hearing and adopt Ordinance on second reading.

Reviewed by Department Director

Reviewed by City Manager

Council Action: Motion by:

Second by: