



PROPOSED LAND DEVELOPMENT CODE AMENDMENT

PROPOSED AMENDMENT

INTRODUCED BY:	Planning & Economic Opportunity Dept.
REQUESTED ACTION:	Amend LDC (Ord. 97-19, as amended) to allow Adult Day Care Centers as conditional or permitted use in commercial zoning districts; allow child care facilities as permitted use in the Commercial neighborhood (CN) and Commercial General (CG) zoning districts; add definition of Assisted Living Facilities; replace outdated language in zoning districts where use is historically permissible.

*** All required application materials have been received. All fees have been paid. All required notices have been made. All copies of required materials are part of the official record and have been made available on the County's website and at the Planning + Economic Opportunity Department Office. ***

SUMMARY OF REQUEST AND BACKGROUND INFORMATION

For the past several decades, an active topic of discussion among planners has been the impending effects on communities of an aging population. One side effect of the exponential growth in the population over 65 is an increased need for elder care, including the "adult daycare" facility. Sometimes stand-alone, and other times incorporated into existing adult care facilities (such as nursing homes), these facilities provide a safe space for older adults to receive supervised care while simultaneously enjoying the companionship of other seniors.

Recently, the Planning and Zoning Board recommended approval of an ordinance allowing adult day care centers as defined in Sec. 429.901, Florida Statutes, as a conditional use in residential districts (adopted in Ord, 2019-05). This proposed ordinance amends the commercial zoning districts to permit this use either as a conditional use or permitted use.

Also, in the interest of encouraging the development of child care facilities in appropriate zoning districts and streamlining the approval process for such facilities, the ordinance includes amendments to allow child care facilities as a permitted use in the Commercial Neighborhood (CN) and Commercial General districts.

This ordinance also introduces a definition for Assisted Living Facilities (based on that found in Ch. 429.02, F.S.) and replaces outdated terms in the commercial and Open Rural zoning districts where such facilities were historically permitted.

While Staff endorses the proposed amendments to introduce updated uses and terminology in the code, it is clear that to fully address the current variety of residential care and congregate living facilities will require more research and Staff will continue discussions with the Planning & Zoning Board about on this subject.

The comprehensive plan encourages integrated communities that provide not only residential and employment opportunities but for supporting civic and public facilities as well. Zoning regulations should be amended to



consider the important place such facilities have in creating diverse, integrated communities. These proposed amendments are another step toward providing a clear path for developers, business owners, and other organizations to bring these much-needed facilities to a wider range of County residents.

CONSISTENCY WITH COMPREHENSIVE PLAN

Applicable Plan Reference	Determination of Consistency
FL.08.06	✓
ED.05.02	✓

Policy FL.08.06 (A&D)

"The County shall direct new residential and commercial development in rural and transitioning areas to accomplish the following:

- (A) Develop in a pattern providing for compact, mixed use, contiguous development patterns and avoids development indicative of urban sprawl as defined in Policy FL.01.04.*
- (D) Contribute to a sustainable development pattern of mixed-use communities that provide for integrated residential and employment opportunities; and provide for civic and public facilities including emergency medical, fire protection and police facilities, parks and other recreational facilities, schools, hospitals and other public or institutional uses."*

Policy ED.05.02

"The County shall encourage and support urban development patterns that create a functional mix of residential uses (including qualified workforce housing), supporting civic and commercial uses, and employment opportunities in close proximity that will effectively reduce the number of county residents commuting outside of the county for employment."

CONSISTENCY WITH EXISTING LAND DEVELOPMENT CODE

The proposed amendments do not create any conflicts with existing provisions of the Land Development Code.

CONCLUSION

Staff finds the requested action to be consistent with applicable Florida Statutes, the Nassau County Comprehensive Plan and the existing Land Development Code. Therefore, staff recommends that the Ordinance be approved.

Submitted by:

A blue ink signature of Doug McDowell.

Doug McDowell, AICP
Principal Planner