



# The Right Use in the Right Location: Health Care Uses

November 2015



# Introduction and Purpose

## Ordinance 2015-67, Temporary Moratorium on all Health Care Uses

*WHEREAS, the moratorium is intended to allow sufficient time to study the provision of these uses for the citizens of Pompano Beach and to create a long term strategy to ensure adequate access to such services is provided; and,*

*WHEREAS, the moratorium is intended to allow sufficient time to study the provision and location of these uses does not result in an over-concentration of these uses that will result in the blighting or downgrading of the surrounding neighborhood; and*

*WHEREAS, the moratorium is intended to allow sufficient time to study the provision of these uses to ensure that there is a balance between the existing residential uses and the projected demand for and location of these uses;*

The health care industry is one of the largest industries in the country. It includes high paying jobs and needed services for residents and visitors alike. However as the health care industry expands and evolves, it is apparent that not all health care uses are alike. This report analyzes the changing trends of the health care industry, the state of health care uses in the city, and proposes a new Zoning scheme for classifying health care uses. The purpose of this report is to determine the right place in the city for the right health care uses.

# Contents

- Trends - Changing provision of health care uses
- Analysis of health care uses in Pompano Beach
  - Data from City's Business Tax Receipts Division; Florida Department of Health; Florida Department of Children and Families; and Florida Agency for Health Care Administration
  - Maps of changing locations of health care uses in city
- Recommendations
  - Recommended Principal Health Care Uses
  - Recommended Accessory Health Care Uses
  - Recommended Uses, Not Health Care
- Focus on Redevelopment Areas

# City's Zoning Code: *Existing Health Care Uses* (Page 1 of 2)

## CONSOLIDATED USE TABLE

**P = PERMITTED PRINCIPAL USE   S = USE ALLOWED AS A SPECIAL EXCEPTION   A = PERMITTED ACCESSORY USE   BLANK CELL = PROHIBITED USE**

USE TYPE	RM-12	RM-20	RM-30	RM-45	B-1	B-2	B-3	B-4	CR	L-1	HX	OIP	TO	CF	RPLD	PCD	PD-TO	LAC	PD-I	PARKING	USE-SPECIFIC STANDARD	DEFINITION
Blood/ tissue collection center					P	P	P	P					P			P	P	P		1 per 300 sq ft	None	A state-licensed facility where human blood, organs, skin, or other human tissue are either withdrawn or collected from patients or assembled after being withdrawn or collected elsewhere from patients for subsequent delivery to a clinical laboratory for examination. A collection facility is maintained at a separate physical location not on the grounds or premises of the main licensed laboratory or institution which performs the testing.
Drug or alcohol treatment facility							P	P					S	P		P	P	P		1 per 300 sq ft	None	A state-licensed substance abuse treatment facility that provides residential treatment, intensive outpatient treatment and addictions receiving facility, as defined in Fla. Stat. §397.311.
Hospital							P	P					S	P		P	P	P		1 per 3 inpatient beds	Min. 5 acres and fronts arterial or collector	A state-licensed institution that provides primary health services and medical or surgical care to humans, primarily inpatients, who are sick or injured, and including as an integral part of the institution, related facilities such as clinical laboratories, outpatient facilities, training facilities, central services facilities, and staff offices. Hospitals offer facilities and beds for use beyond 24 hours by persons needing medical treatment or service. This use type does not include nursing home facilities, medical treatment facilities, medical clinics, drug or alcohol treatment facilities, or psychiatric treatment facilities.
Massage therapy establishment					P	P	P	P	P				P	P	P	P	P	P	P	1 per 300 sq ft	None	A state-licensed establishment that offers, sells, or provides manipulation of the tissues or other tactile stimulation of the human body with the hand, foot, arm, leg, elbow, or part of the torso, whether or not aided by any electrical or mechanical device, by persons who are licensed as a massage therapist under Chapter 480 of the Florida Statutes. A massage may also include bathing, hydrotherapy (including colonic irrigation), thermal therapy, or application of chemicals, oils, lotions, or similar preparations to the human body.
Medical or dental clinic					P	P	P	P					P	P		P	P	P	P	1 per 300 sq ft	None	A small-scale facility where patients are admitted for examination and treatment by one or more physicians, dentists, or other health practitioners on a short-term basis. The use includes the offices of physicians, dentists, chiropractors, optometrists, podiatrists, audiologists, speech pathologists, physical therapists, acupuncturists, psychologists, and other health practitioners. It also includes facilities providing short-term outpatient care and treatment (which may or may not be overnight), such as urgent care centers, kidney dialysis centers, ambulatory surgical clinics, biofeedback centers, sleep disorder clinics, family planning clinics, community health clinics, and health maintenance organization (HMO) medical clinics. Such facilities that provide overnight care and treatment may include sleeping rooms for care workers and members of patients' families. This use does not include hospitals (which are much larger in scale) or blood/tissue collection centers, drug or alcohol treatment facilities, massage therapy establishments, or psychiatric treatment facilities (which provide specialized medical services).

# City's Zoning Code: *Existing Health Care Uses* (Page 2 of 2)

## CONSOLIDATED USE TABLE

**P = PERMITTED PRINCIPAL USE   S = USE ALLOWED AS A SPECIAL EXCEPTION   A = PERMITTED ACCESSORY USE   BLANK CELL = PROHIBITED USE**

USE TYPE	RM-12	RM-20	RM-30	RM-45	B-1	B-2	B-3	B-4	CR	L-1	HX	OIP	TO	CF	RPLD	PCD	PD-TO	LAC	PD-I	PARKING	USE-SPECIFIC STANDARD	DEFINITION	
Medical or dental lab							P	P					P			P	P	P		1 per 300 sq ft	None	Consists of facilities and offices for performing diagnostic or therapeutic medical procedures of a non-surgical nature	
Nursing home facility	P	P	P	P			P		P				P	P			P	P	P		1 per 5 beds	None	A state-licensed facility or any identifiable component of any facility in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more non-related individuals, including facilities known by varying designations such as rest homes, convalescent homes, skilled care facilities, intermediate care facilities, extended care facilities, and infirmaries. Accessory uses may include dining rooms and recreation and physical therapy facilities for residents, and offices and storage facilities for professional and supervisory staff. This use type does not include the home or residence of any individual who cares for or maintains only persons related to him or her by blood or marriage. It also does not include assisted living facilities.
Psychiatric treatment facility							P	P					S	P			P	P	P		1 per 3 beds	None	An inpatient facility that provides care for persons with psychiatric problems and that may include outpatient follow-up care to the facility's patients.
Limited mental health treatment facility (Accessory Use)										A		A									1 per 300 sq ft	Located adjacent to either a collector or arterial roadway, and within ¼ mile of a mass-transit stop.	An accessory use for the practice of mental health counseling, practice of marriage and family therapy, and/or practice of clinical social work, as defined in F. S. § 491.003, on an out-patient basis only. This use strictly prohibits the on-site dispensing of both medicinal and non-medicinal drugs. This use strictly prohibits the written order or prescription for any medicinal and non-medicinal drugs.



# Trends: Changing Provision of Health Care Uses

# Major Trends in Health Care Services

- Per CDC, in 1960 only 5% of the GDP was for health care expenditures; in 2013 the amount was 17.4%
- Significant increase in percentage of population with health insurance due to:
  - Continuing growth in the Medicare-eligible population
  - Affordable Care Act (ACA)
  - From September 2013 to February 2015, 22.8 million Americans became newly insured and 5.9 million lost coverage, for a net gain of 16.9 million more insured.
- Significant increase in provision of mental health and substance abuse treatment due to:
  - Mental Health Parity and Addiction Equity Act
  - An increasing component of substance abuse treatment is the use of medication assisted treatment
- Additional treatment/focus on chronic care due to aging population
- Many insurance companies no longer require referrals to see specialists
- Medical Marijuana legalized in several states, and may be legalized in Florida
- Significant increase in obesity and related diseases
- More intensive Health Care uses moving into vacant shopping center locations due to cost of land, available space, and desired increase in access to population.

*The locations of health care uses have not changed; however, the services offered at the locations have.*

# ACA and Mental Health Parity and Addiction Equity Act

	Individuals who will gain mental health, substance use disorder, or both benefits under the Affordable Care Act, including federal parity protections	Individuals with existing mental health and substance use disorder benefits who will benefit from federal parity protections	Total individuals who will benefit from federal parity protections as a result of the Affordable Care Act
Individuals currently in individual plans	3.9 million	7.1 million	11 million
Individuals currently in small group plans	1.2 million	23.3 million	24.5 million
Individuals currently uninsured	27 million	n/a	27 million
<u>Total</u>	<u>32.1 million</u>	<u>30.4 million</u>	<u>62.5 million</u>

Source: US HUD – Office of the Assistant Secretary for Planning and Evaluation – Issue Brief (February 20, 2013) – “Affordable Care Act Expands Mental Health and Substance Use Disorder Benefits and Federal Parity Protections for 62 Million Americans”

**Comment:** This information provided by HUD clarifies how federal acts will result in the expansion of mental health services and substance abuse treatment services, due to the amount of individuals whose insurance will now cover these services

# *Hospitals, schools filling up empty shopping centers: Sun-Sentinel, 7/17/2015*

- Across South Florida, service businesses are moving into former retail space left vacant when stores died in the recession or moved online.
- Service uses become a good replacement for many former “Big Box” retailer sites.
- Local hospitals are leading the move into storefronts
- Hospitals have installed at least a dozen urgent care centers and clinics in shopping areas in Broward and Palm Beach counties – with more to come.
- Last fall, Holy Cross Hospital in Fort Lauderdale opened an urgent care and imaging center in a former Boca Raton mattress store after starting its first urgent care facility in a closed Blockbuster near downtown Fort Lauderdale.
- Hospitals, like other service businesses, have found that converting stores can be cheaper and easier than buying land and site planning ‘ground-up’ construction.

**Comment:** This article highlights the new trend of intensive healthcare uses (as well as other institutional uses) moving into vacant shopping centers.



# Analysis

# Health Care Uses in Pompano Beach: *City & State Records Analysis*

- In order to analyze the amount, location, and types of health care uses in Pompano Beach, four sources of information were reviewed:
  1. City Business Tax Receipts – 2005 and 2015
  2. Florida Department of Children and Families (DCF) – 2015
  3. Florida Department of Health (DOH) – 2015
  4. Florida Agency for Health Care Administration (AHCA) – 2015
- Each of the agencies use their own categories, and may license different components of one health care facility.
  - i.e. DCF might license a facility as a Substance Abuse Treatment Center, while FL DOH licenses the professionals working at the facility, including the doctor, social workers, and mental health therapists, and the facility may also be licensed by AHCA if it preforms in-house lab work.
- It is not possible to simply “add” the various licenses from the various state agencies.
- The City’s BTRs are *only* useful for tracking licensed professionals
  - The City’s BTR Dept. categorizes health care “facilities” as a professional offices
  - A doctor’s office will have two BTRs: a Professional Office and a Doctor.
  - Therefore the review of the City BTR solely analyses the health care professions category.

# City Business Tax Receipts – 2005 and 2015

## 37 categories for Health Care Professionals

- Acupuncture
- Alf (Assisted Living Facility)
- Anesthesiologist
- Blood Bank
- Chiropractor
- Chiropractor Assistant
- Colon Irrigationist
- Dental Lab
- Dentist
- Nursing (RN,LPN,PRIVT duty)
- Nursing Home
- Nutritionist
- Occupational Therapist
- Ophthalmologist
- Optical Dispensary
- Optician
- Optometrist
- Osteopath
- Physical Therapist
- Dietitian
- Hearing Aid Specialist
- Home Health Care
- Lab Technician (DNTL/MEDCL)
- Marriage Family Therapist
- Massage Therapist
- Medical Lab
- Mental Health Counselor
- Nurse Practitioner
- Physical Therapist Assistant
- Physician
- Physician Assistant
- Podiatrist
- Psychiatrist
- Psychologist
- Psychotherapist
- Radiologist
- Speech therapist

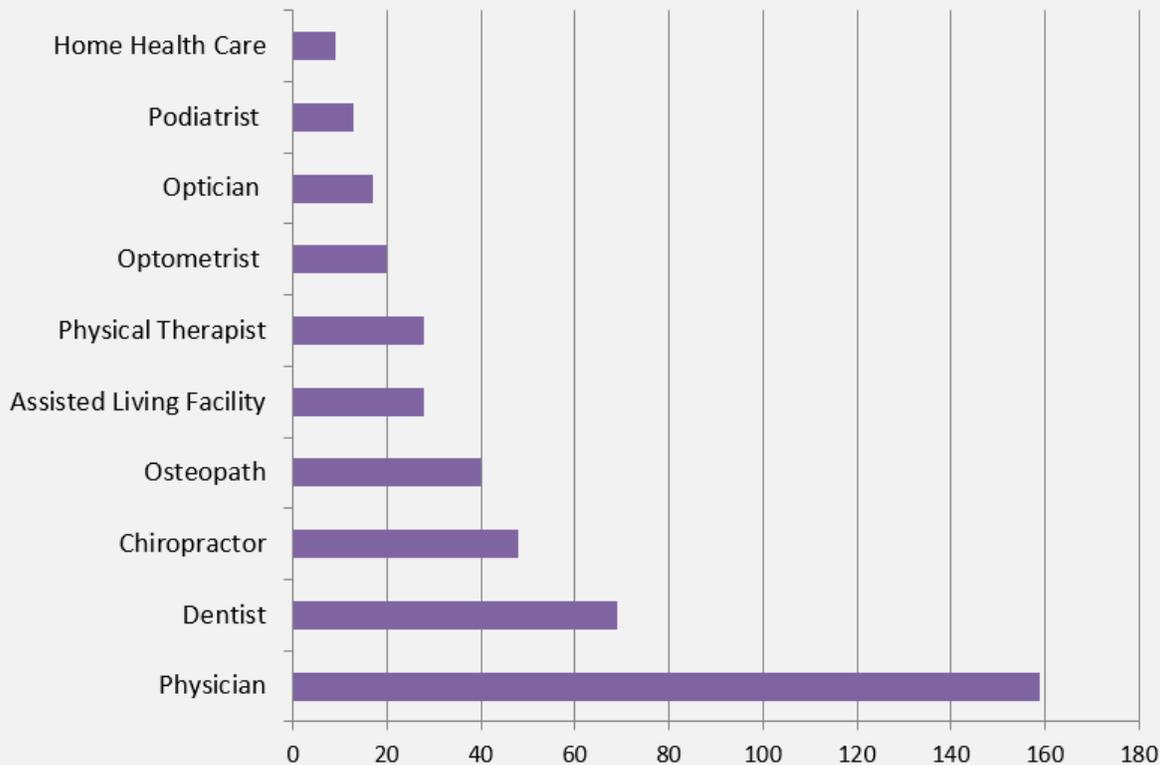
**Total Number of Health Care BTRs**

**FY 2005 – 503**

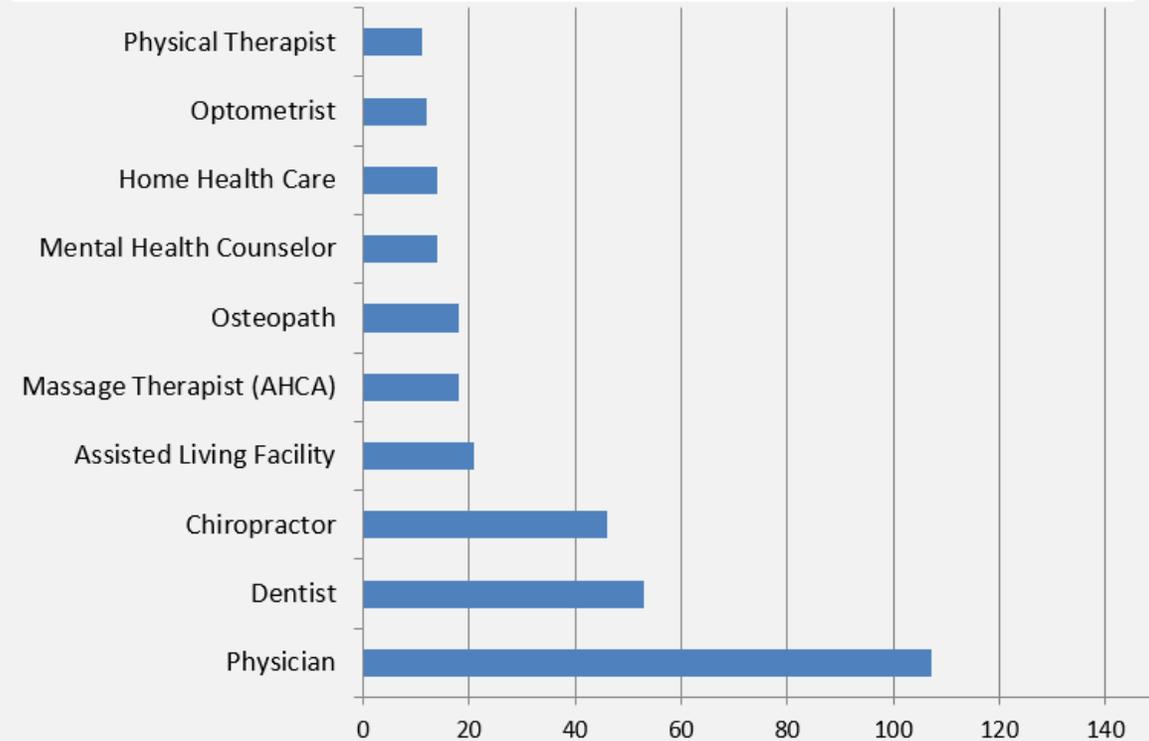
**FY 2015 – 397**

# City Business Tax Receipts – 2005 and 2015

## 2005: Top 10 Categories with most BTRs



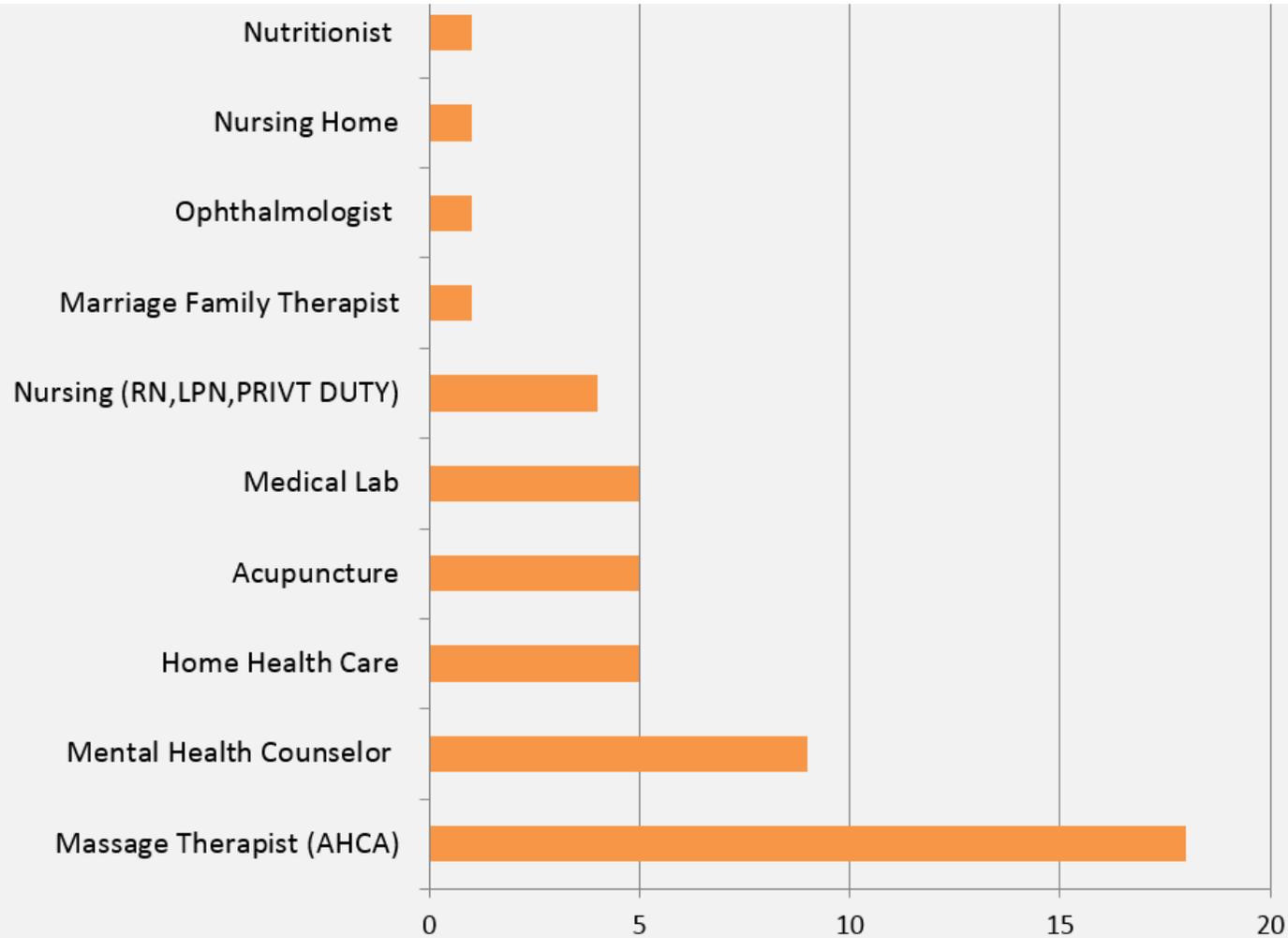
## 2015: Top 10 Categories with most BTRs



**Comment:** The above tables show the top 10 categories in 2005 and 2015. Physicians, Dentists, and Chiropractors continue to be the largest healthcare categories. In 2015, Massage Therapists and Mental Health Counselors joined the top 10 list and Optician and Podiatrist dropped off the list.

# City Business Tax Receipts – 2005 and 2015

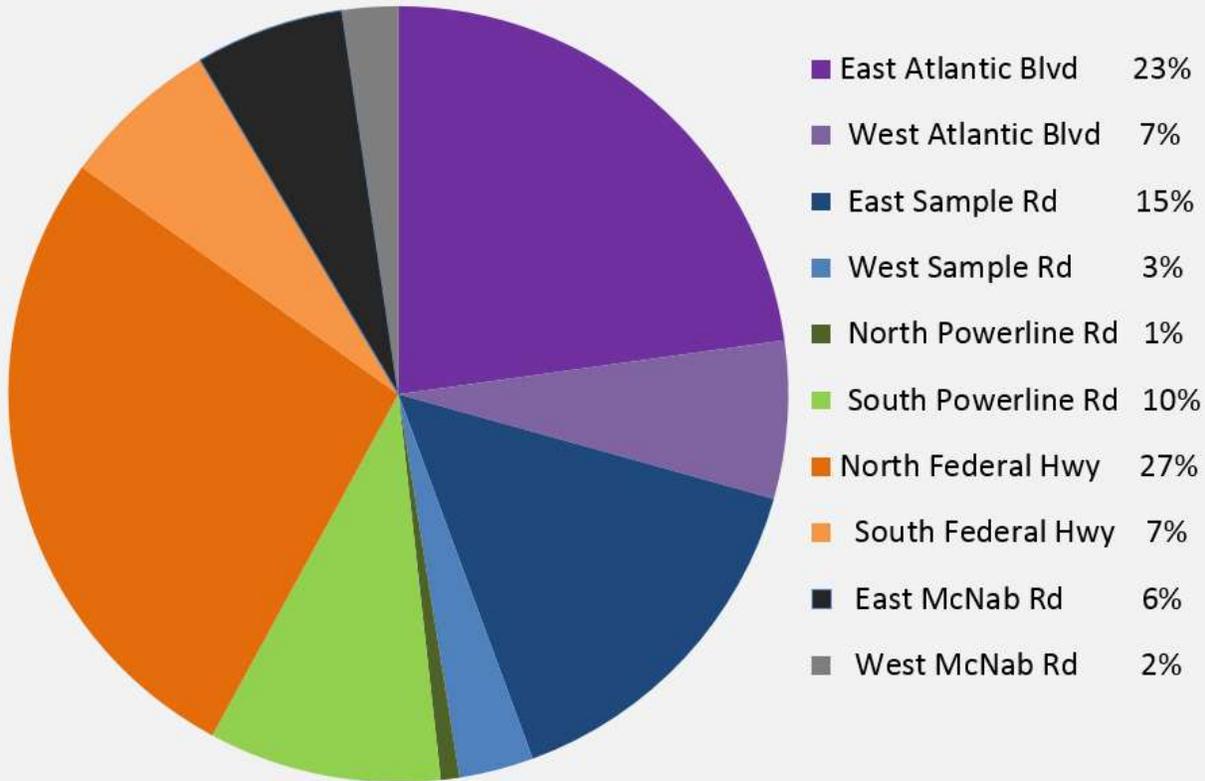
## 2005 to 2015: Top 10 Categories with Greatest Increase



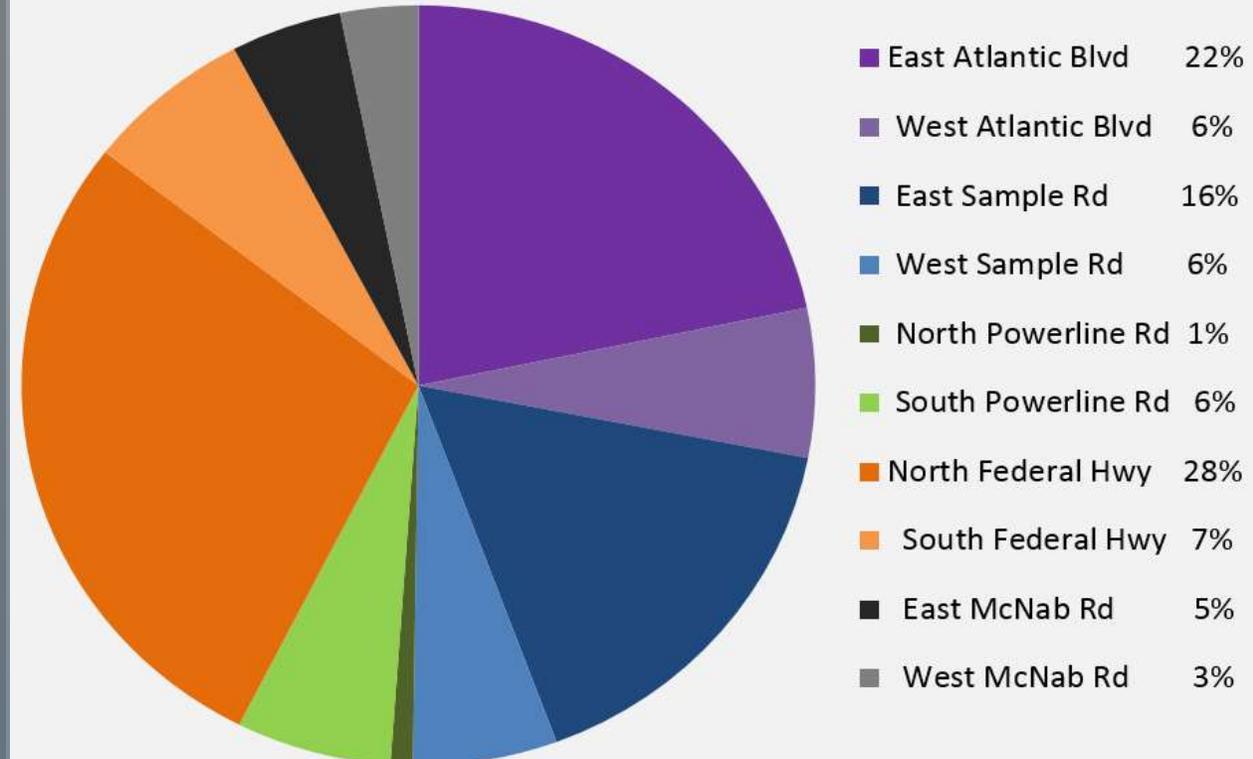
**Comment:** This table includes the top 10 categories with the biggest increases between 2005 and 2015. This table shows that the categories with the biggest increases are those within the “alternative” or mental health treatment realm, including massage therapists, mental health counselors, acupuncture, marriage family therapists, and nutritionists.

# City Business Tax Receipts – 2005 and 2015

2005: Locations of BTRs on Major Corridors



2015: Locations of BTRs on Major Corridors



**Comment:** The pie charts indicate the locations of health care services along the city's major corridors have not changed since 2005. This substantiates the trend previously noted; *The locations of health care uses have not changed; however, the services offered at the locations have.*

# FL Department of Children and Families

## 12 Licensure Categories

- Addictions Receiving Facility
- Detoxification
- Intensive Inpatient Treatment
- Residential Treatment (1 to 5\*)
- Day/Night Treatment with Community Housing\*
- Day/Night Treatment
- Intensive Outpatient Treatment\*
- Outpatient Treatment
- Medication & Methadone Maintenance Treatment
- Aftercare
- Intervention
- Prevention

### FAQ re DCF Terminology

#### Residential Treatment Level 5

Residential programs that provide only housing and meals at one location and who provide treatment services at alternate locations in facilities that are owned and operated by the same provider. (***Substance abuse provider is required to own and operates the housing***)

#### Day/Night Treatment with Community Housing

Clients live in a supportive, community housing location while participating in treatment. No treatment takes place in the housing where the clients live. The housing is utilized solely for the purpose of assisting clients in making a transition to independent living. (***Substance abuse provider is not required to own and operate the housing***)

#### Intensive Outpatient Treatment

Each client shall receive at least nine hours of substance abuse, mental health, and other related services per week.

**Comment:** The city has seen a rise in certain categories (as is shown on the next slide). A description of three common categories is provided above.

# FL Department of Children and Families:

## Substance Abuse and Mental Health Program Office

### *Licensed Substance Abuse or Behavioral Health Facilities – July 2015*

Licensee	City BTR Year	Street Address	Treatment Offered											
			Day or Night Treatment	Day or Night Treatment with Community Housing	Outpatient Treatment	Intensive Outpatient Treatment	Residential Level				Detox			
							2	3	5	Intensive	Outpatient	Inpatient		
Bridges of America – The Turning Point Bridge, Inc	2000	400 SW 2 <sup>nd</sup> Street			Yes									
Metro Treatment of Florida LP (Behavioral Health only)	2003	380 S. Andrews Av			Yes									
Simple Path Recovery	2004	1990 N Federal Highway			Yes	Yes								
Lamb of God Recovery Centers	2007	971 S Dixie Highway	Yes							Yes				
Addiction Solutions by the Sea, Inc.	2011	3665 N Federal Highway	Yes	Yes	Yes	Yes								
Portner Counseling Group / Counseling of SWFL	2011	1800 N Federal Highway			Yes									
Holistix By The Sea, LLC	2011	3217 NE 9 <sup>th</sup> Street								Yes				
The Right Place Residential Detox	2012	213 NW 8 <sup>th</sup> Court								Yes		Yes	Yes	
Ocean Breeze Recovery, LLC	2013	2413 E Atlantic Blvd	Yes	Yes	Yes	Yes				Yes		Yes		
Almost There, LLC dba Lakehaven Recovery Center	2013	150 E. Sample Rd		Yes	Yes	Yes								
Northstar IOP	2013	1661 E. Sample Rd				Yes								
Henderson/Summit (Behavioral Health only)	2013	868 SW 10th Street								Yes				
Banyan Treatment and Recovery	2014	950 N Federal Highway	Yes		Yes	Yes								
Sovereign Health of Florida	2014	555 SW 12 Street		Yes	Yes	Yes								
Holistix By The Sea, LLC	2015	803 NW 2 <sup>nd</sup> Ave		Yes	Yes	Yes				Yes				
Pompano Treatment Center / Methadone Clinic	2015	555 S. Andrews Av			Yes							Yes		
Banyan Health Systems	2015	214 SW 2 <sup>nd</sup> Street						Yes						
Banyan Health Systems / Spectrum Programs	2015	220 SW 2 <sup>nd</sup> Street						Yes	Yes					
<i>(Approved by City) Changes Treatment</i>	2015	2310 E Atlantic Blvd		Yes		Yes								
<i>(Proposed) PMG Grace</i>	2015	3773 N Federal Highway		Yes										Yes
<i>(Approved by City) Ready for Recovery Treatment Center</i>	2015	1940 SE 2 <sup>nd</sup> Street		Yes		Yes								

**Comment:** Prior to 2011 the city only had three licensed substance abuse facilities and one behavioral health facility. Since 2011 the city has an additional 17 facilities, with seven of those opening in 2015 alone.

# FL Department of Health

## 27 Licensure Categories

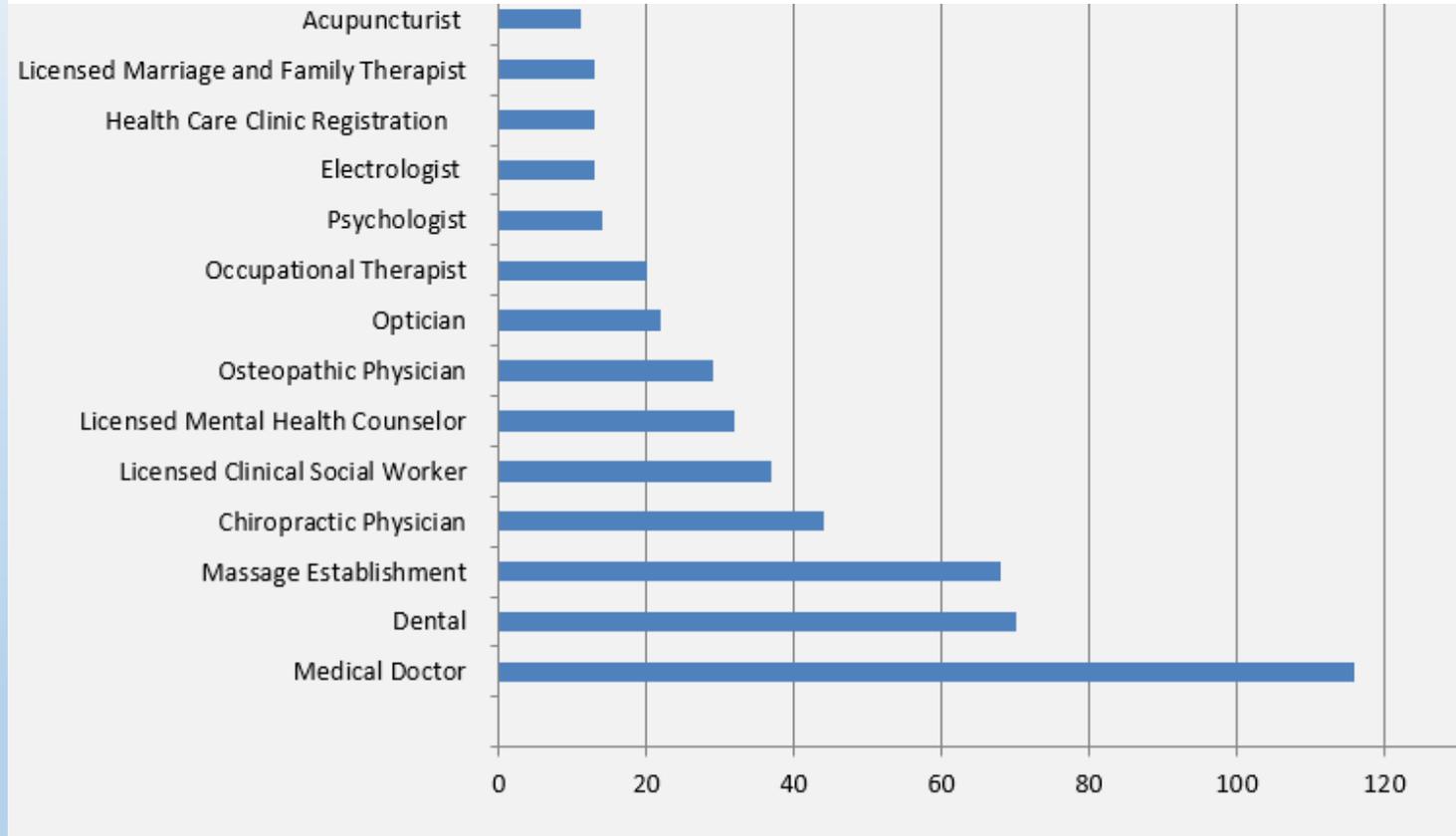
- Registered Nurse
- Medical Doctor
- Dental
- Massage Establishment
- Chiropractic Physician
- Licensed Clinical Social Worker
- Licensed Mental Health Counselor
- Osteopathic Physician
- Optician
- Occupational Therapist
- Psychologist
- Electrologist
- Health Care Clinic Registration
- Licensed Marriage and Family Therapist
- Acupuncturist
- Optical Establishment Permit
- Optometrist
- Dietetics/ Nutrients
- Medical Related Process Entity
- Pain Management Clinic
- Apprentice Optician
- Hearing Aid Specialist
- Approved Massage School
- Audiologist
- Nutrition Counselor
- Office Surgery Registration

Total Number of FL DOH Licensed Health Care Professionals in 2015

**1,102**

# FL Department of Health

**2015: Number of DOH Licenses (Top 14 Categories)**



**Comment:** The top 14 DOH categories for the City are shown (Registered Nurse is #1, but not shown due to the 500+ licenses). Combined, the number of licensed Clinical Social Workers, Licensed Mental Health Counselors, Licensed Marriage and Family Therapists, and Psychologists is equal to the number of dentists in the city.

# FL Agency for Health Care Administration

## 18 Licensure Categories

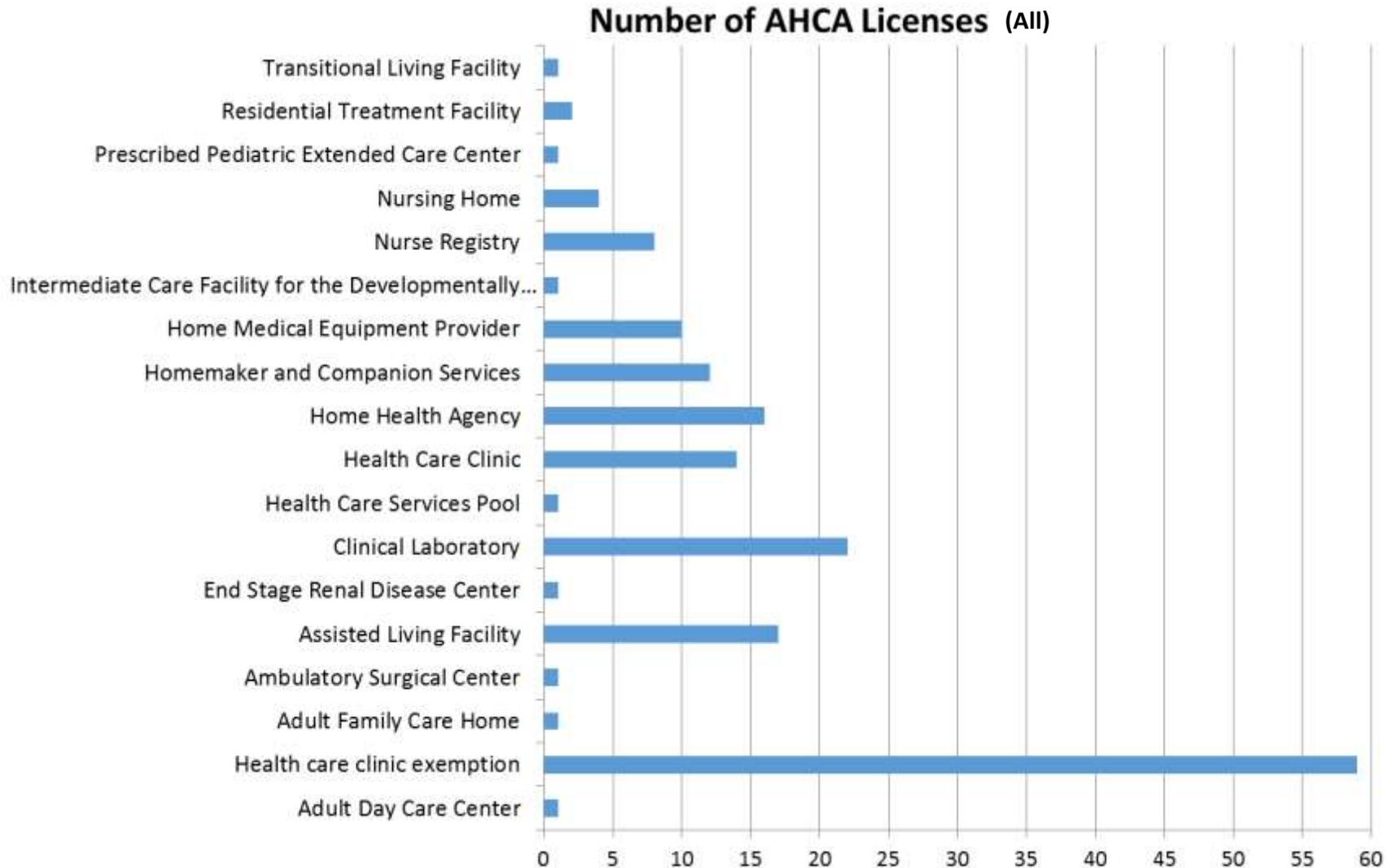
- Health Care Clinic Exemption
- Adult Day Care Center
- Adult Family Care Home
- Ambulatory Surgical Center
- End-Stage Renal Disease Center
- Clinical Laboratory
- Assisted Living Facility
- Health Care Clinic
- Health Care Services Pool
- Home Health Agency
- Home Medical Equipment Provider
- Homemaker and Companion Services
- Intermediate Care Fac. for the Dev. Disabled
- Nurse Registry
- Nursing Home
- Prescribed Pediatric Extended Care Center
- Residential Treatment Facility
- Transitional Living Facility

Total Number of AHCA Licensed Health Care Facilities in 2015

172

**Comment:** AHCA does not license professionals, rather it licenses health care facilities. This information is very useful since the City's BTR category for doctor's offices is "professional office". Therefore this data, plus facilities licensed by DCF, gives a better picture of the number of health care facilities in the city.

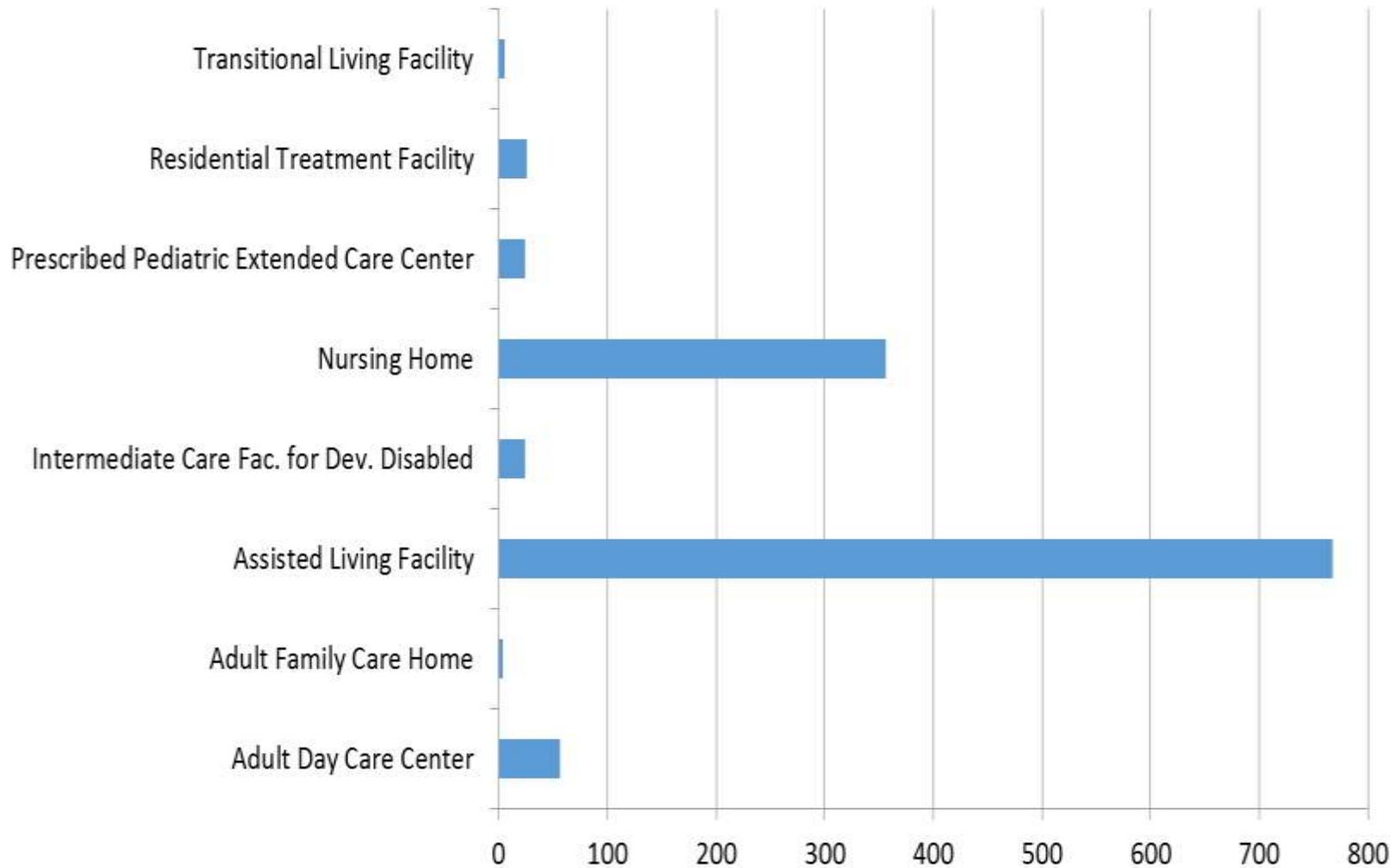
# FL Agency for Health Care Administration



**Comment:** This chart shows the types and number of AHCA facilities in the city.

# FL Agency for Health Care Administration

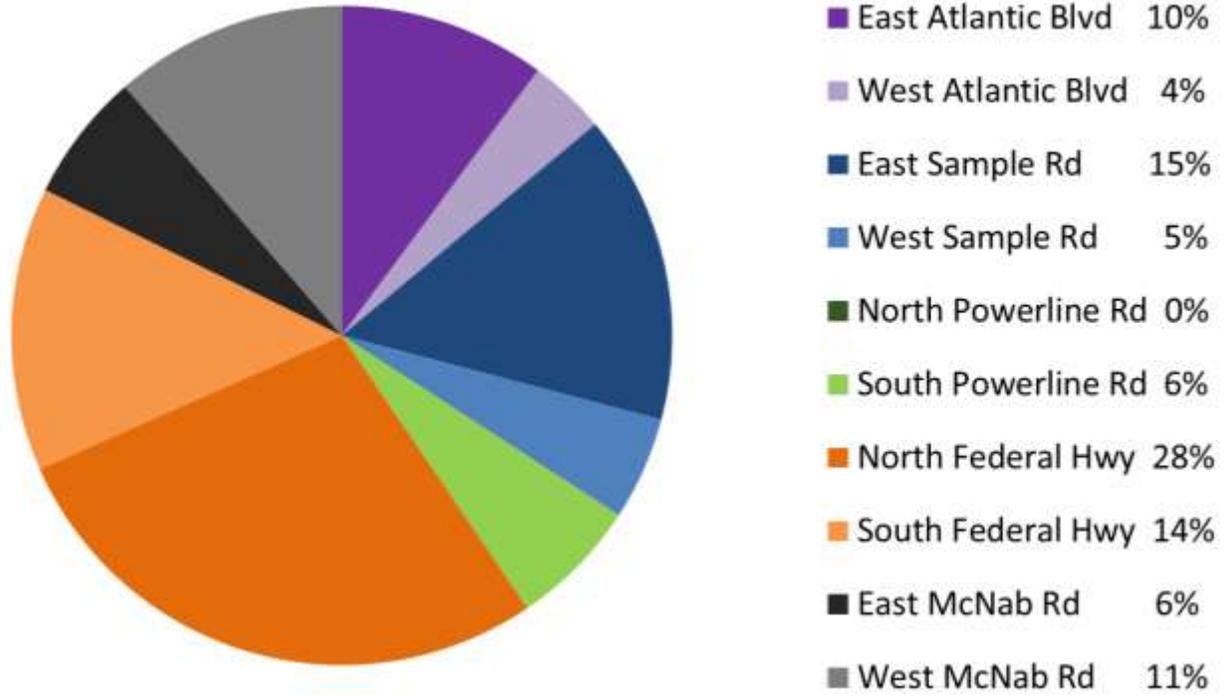
Number of AHCA Licensed Beds



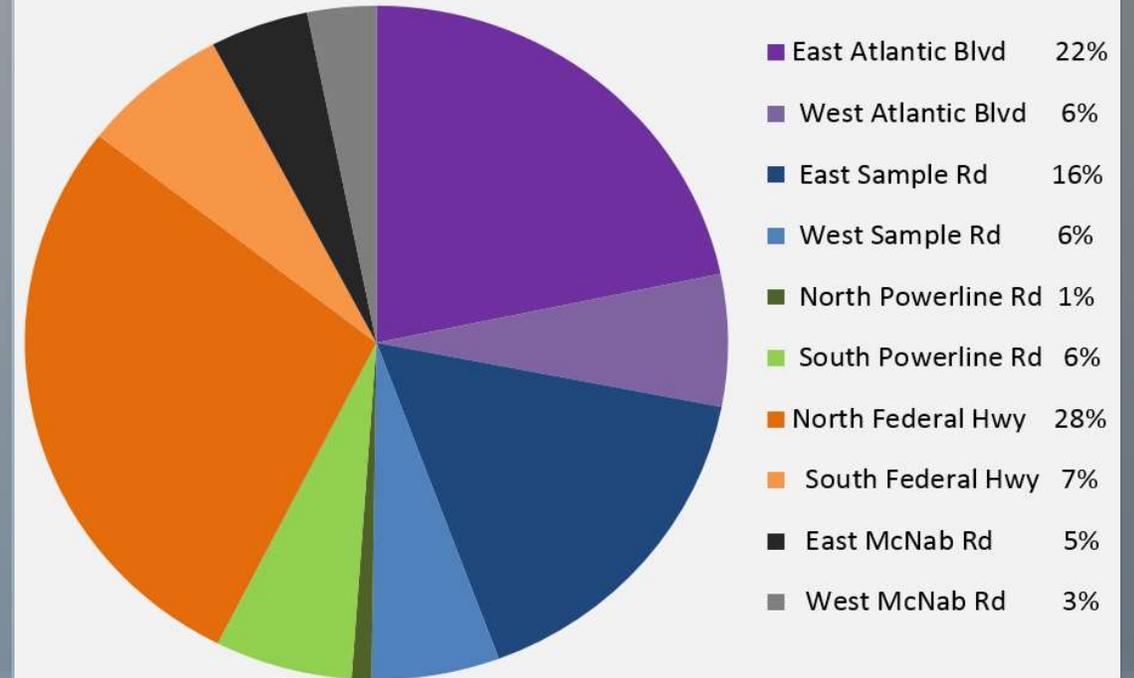
**Comment:** This chart indicates there are over 700 ALF beds in the city, plus beds for other licensed uses.

# Florida Agency for Health Care Administration: *Locations compared to City BTR locations*

2015: Locations of AHCA licenses on Major Corridors



2015: Locations of BTRs on Major Corridors



**Comment:** These tables indicate that the locations of licensed AHCA facilities are consistent with the locations of the City's BTRs for healthcare professionals. The only notable differences are E. Atlantic Blvd and W. McNab Rd.



# Recommendations

# Recommendation #1:

## *Regulate Health Care Uses by Intensity*

### **APA “Planners Dictionary”: Intensity**

Intensity is the degree to which land is occupied. There is no single measure of intensity of land use. Rather a land use is relatively more or less intense than another use. Generally, a particular use may be more intense due to one or more characteristics, such as:

- Traffic generated
- Amount of impervious surface
- Bulk of the structures
- Number of employees
- Density
- Nuisance such as pollution, noise, light, etc...

### *Intensity of Health Care Uses:*

- Total Number of healthcare professionals
- Number of patients per healthcare professional
- Hours of Operation
- Overnight treatment
- Type of Services Provided
- Treatment Length
- Facility Size

# Recommendation #1: *Regulate Health Care Uses by Intensity*

## Proposed / Revised Uses

Retail Clinic (*Accessory use*)

Personal Care Services

Medical Office

Limited Mental Health Treatment Facility (*Accessory use*)

Specialty Medical Facility

Medical or Dental Lab

Urgent Care Facility – 24 Hours

Specialty Hospital

General Hospital



# Recommendation #2:

## *Permit Most Health Care Uses in City's Industrial Districts*

- City's Land Use Plan does permit Office Uses, Medical or Dental Laboratories, and Community Facilities within the Industrial Land Use designation.
- City's Zoning Code does not permit health care uses in I-1 or OIP.
- A quick review of other Florida municipalities indicates some do permit healthcare uses in Industrial Districts.
- Staff is recommending most health care uses be permitted in I-1 and OIP.

**Florida Cities which permit medical uses in Industrial Districts**

Use	City / County	Permitted
Medical or Dental Lab/ Hospital and Specialty Hospital (in Office Park only)	Deerfield Beach	Permitted
Ophthalmologists & optometrists, emergency clinics, Osteopathic physicians, Ambulatory surgical facilities, Birthing facilities, alcohol and drug treatment, aids treatment, outpatient clinics, birth control centers, Marriage counselors, diet counseling, human services, social services, youth counselors, Hospitals, Psychiatric treatment	Orange County	Permitted
Office, medical	Tampa	Permitted
Health care facility, group III - Outpatient care facilities	Lee County	Special Exception
Hospitals or clinics	Sunrise	Special Exception
Medical Center, Rehab Center, Hospital, and Emergency Facilities	Doral	Permitted

# Recommendation #3:

## *Revise Parking Standards for Health Care Uses*

- City currently requires parking as either 1 per 300 sq ft or 1 per 3 beds
- Staff researched parking standards in other Florida cities and other best practices.
- Staff is recommending revisions to parking requirements including:
  - ✓ Increased off-street parking
  - ✓ Reservation of spaces for emergency vehicles

**Comment: While staff is recommending increasing the number of off-street parking spaces required, the impact on existing sites established for health care uses should be considered.**

ANALYSIS OF FLORIDA STANDARDS		
USE	CITY / COUNTY	PARKING
Medical clinics	Deerfield Beach	1 per 50 sq ft floor area for Group Counseling or treatment + 1 per 200 sq ft of remaining floor area
Medical Office (Doctor, dentist, clinic)	Fort Lauderdale	1 per 150 sf GFA
Dental clinic / Medical and dental offices / Medical clinic	Coral Springs	1 per 200 sq ft GFA
Medical offices, urgent care centers, dental clinics	Sunrise	1 per 150 sq ft GFA
Eye and hearing doctors, and outpatient medical clinics not open to the general public	Sunrise	1 per 250 sq ft GFA
Medical and dental office buildings or clinics; medical or dental laboratories	Plantation	1 per 150 sq ft GFA
Medical dental, optical clinics and offices	Orange County	1 per employee + 2 per exam room
Outpatient care facilities / Medical office	Lee County	1 per 222 sq ft GFA (Single Use Bldg) OR 1 per 250 sq ft GFA (Mult-Use Bldg.)
Medical, dental, eye, veterinary and other health-related uses	Tampa	1 per 167 sq ft GFA
Clinic	Tampa	1 per 143 sq ft GFA
Hospitals, sanitariums, and convalescent homes	Deerfield Beach	1 per bed + 1 / 250 sq ft
Hospital, specialty	Deerfield Beach	1 per 2 beds + 1 / 400 sq ft of remaining floor area
Hospital	Fort Lauderdale	2 per Bed (not including nursery beds)
Hospitals	Coral Springs	1.5 per bed
Hospitals	Sunrise	1 per bed
Hospitals	Plantation	2 per Bed (not including nursery beds)
Hospitals, sanitariums, rest and convalescent homes, foster group homes, all similar institutions	Orange County	2 per bedroom + 1 per 200 sq ft for office area
Hospitals.	Miami-Dade County	1 per bed for first 300 beds + 1 per 2 beds after 300 beds + 1 per 3 employees
Hospitals.	Lee County	1 per bed (except nursery) + 1 per employee on largest shift
Hospitals and associated uses	Tampa	1.2 per bed

## Recommendation #4:

### *Separate Intense Uses from Residential Uses by 500 ft*

Intensive health care uses are incompatible with residential uses due to:

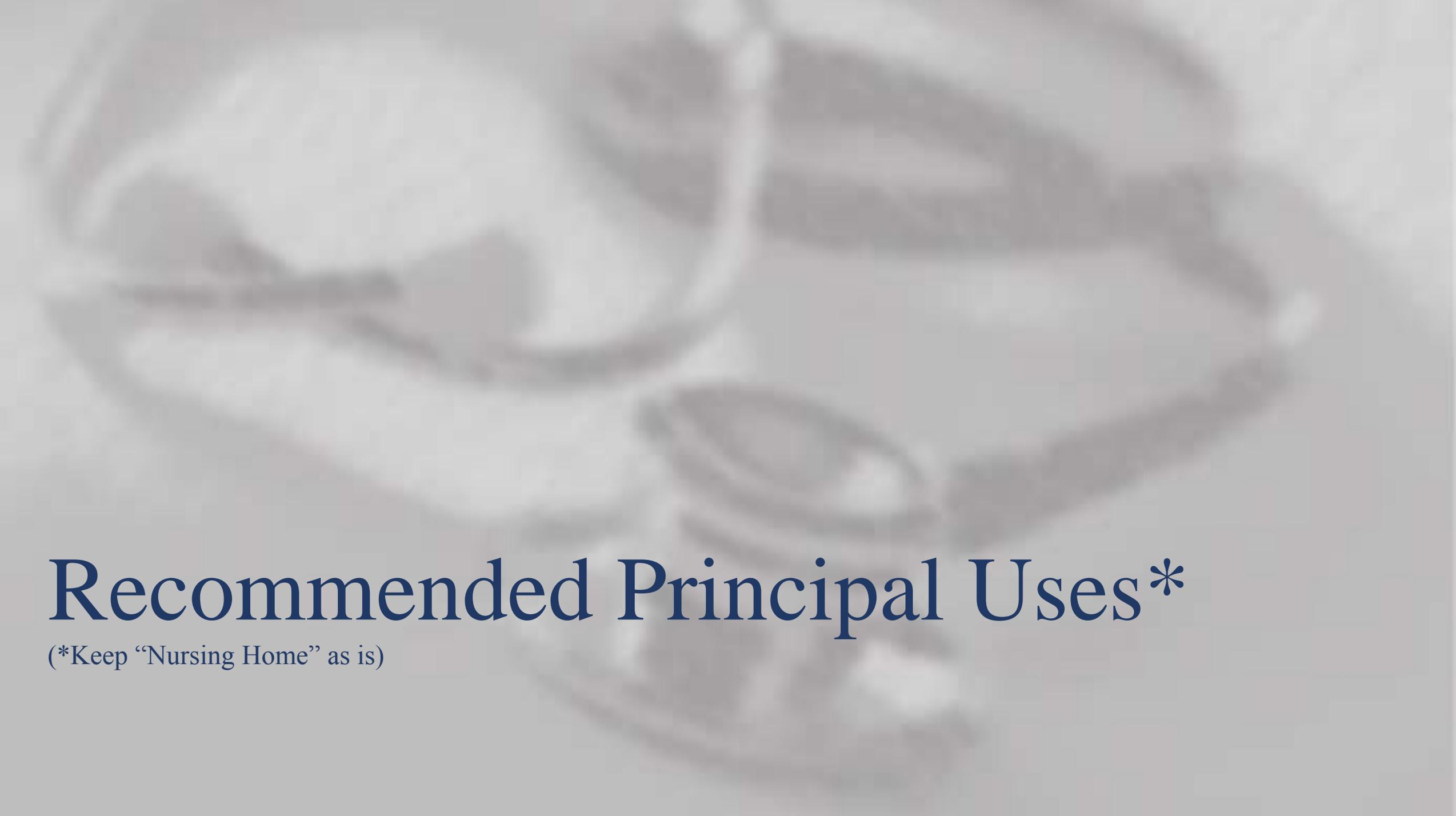
- Hours of operation
- Medical and Biomedical Waste
- Noise from ambulances, emergency vehicles, and heliports
- Lighting and glare from security lighting for patient / visitor safety and from vehicles entering and exiting facility
- Late-night deliveries
- Storage of fuel for generators and other explosive / flammable gasses

Why 500 ft?

- 500 ft is average length of a “block”
- Ensures that a use is reasonably accessible by residents, yet is far enough away to protect residents from impacts

# Additional Considerations

- City's current Zoning Code treats intensive health care uses the same as less intensive uses
  - Use Intensity is a reflection of quantitative and qualitative components, such as hours of operations, number of doctors and staff, building size, numbers of clients, types of services provided, noise generated, parking needs, architecture and exterior appearance
  - Health Care uses locally and nationally are trending towards more intensive uses which may have significant impacts on adjacent properties
- Intensity of health care uses is not always reflective of the “size” of the health care facility or the number of medical professionals. However facility size is a reasonable indicator of impacts.
- The proposed recommendations seek to balance the city's objectives of protecting residential areas, ensuring uses are in the appropriate location, encouraging high paying jobs, and focusing on economic development.
  - Existing Uses will likely not be impacted by code changes, either due to legal conforming use status or lawfully existing special exception status.
  - Existing uses that want to expand may be required to provide additional parking or comply with standards related to hours of operation.
  - While this report strongly recommends allowing health care uses in the I-1 and OIP Districts, many of the existing buildings / sites in these districts were developed with parking requirement for industrial uses (1 space per 1,000 sq ft). The city could implement an administrative relief procedure specific to parking in the Industrial Districts.



# Recommended Principal Uses\*

(\*Keep “Nursing Home” as is)

# RECOMMENDED USE: *Medical Office*

- ✓ “Small-scale offices” for medical professionals
- ✓ Defines “small-scale” as a maximum of 5,000 sq ft gfa.
- ✓ No overnight stays
- ✓ No treatment or similar services between 10:00 p.m. and 7:00 a.m.
- ✓ If within 500 feet from RS and RD Districts, the hours of operation are 7:00 p.m. until 7:00 a.m.
  
- ❖ PARKING: Change from 1 per 300 sq ft to 1 per 200 sq ft



Use Intensity



## A. MEDICAL OFFICE

### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
												<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

### 2. Definition

A medical office is a small-scale office providing medical or dental treatment. A small-scale office shall mean a maximum gross floor area of 5,000 sq ft. This use shall not include any uses specified as a Specialty Medical Facility. An office which is greater than 5,000 sq gfa shall be considered a Specialty Medical Facility.

### 3. Standards

A medical office shall comply with the following standards:

- a. Separation from Residential Uses. A medical office is not required to be separated from residential uses.
- b. Overnight Treatment. Overnight Treatment is prohibited.
- c. Hours of Operations.
  - i. Medical offices shall not offer treatment or similar services between the hours of 10:00 p.m. and 7:00 a.m.
  - ii. Medical offices within 500 feet of a Single Family (RS) or Two-Family (RD) Zoning District shall not offer treatment or similar services between the hours of 7:00 p.m. and 7:00 a.m.

# RECOMMENDED USE: *Specialty Medical Facility*

- ✓ More intensive than Medical Office, either due to higher ratio of patients per doctor (i.e. group treatment), or the length of treatment (typically greater than one hour), or the hours of operation (treatment occurs after 7:00 p.m.), or the size of the facility
- ✓ Regardless of size, includes Dialysis Centers, Substance Abuse Treatment Facilities, Outpatient Rehabilitation Centers, Urgent Care facilities (not 24 hours), Outpatient Surgical Centers, and Health and Wellness Centers.
- ✓ Also Includes medical offices that are larger than 5,000 sq ft gfa
- ✓ No overnight stays
- ✓ No treatment or similar services between 10:00 p.m. and 7:00 a.m.
- ✓ Major difference from Medical Office:
  - Must be at least 500 feet from RS and RD Districts
  - Special Exception in B-3.
  - Not permitted in B-1, B-2, and TO
- ❖ PARKING: Change from 1 per 300 sq ft to 1 per 200 sq ft floor area for treatment + 1 per 300 sq ft for remaining areas

Use Intensity



## **B. SPECIALTY MEDICAL FACILITY**

### **1. Districts Where Permitted**

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														<u>S</u>	<u>P</u>

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
		<u>P</u>		<u>P</u>				<u>P</u>					<u>P</u>		<u>P</u>	<u>P</u>

### **2. Definition**

A specialty medical facility is a facility, regardless of facility size, which offers specialized treatment and services including, but not limited to, ambulatory surgical facilities, dialysis centers, substance abuse treatment facilities, outpatient rehabilitation facilities, birthing facilities, and urgent care facilities (not including a 24-hour urgent care facility). This use also includes medical or dental offices which are larger than 5,000 sq ft gfa.

### **3. Standards**

A specialty medical facility shall comply with the following standards:

- a. **Separation from Residential Uses.** The facility shall be at least 500 feet from a Single Family (RS) or Two-Family (RD) Zoning District.
- b. **Overnight Treatment.** Overnight Treatment is prohibited.
- c. **Hours of Operations.** The Facility shall not offer treatment or similar services between the hours of 10:00 p.m. and 7:00 a.m.

# RECOMMENDED USE: *Urgent Care Facility – 24 hours*

- ✓ More intensive than Specialty Medical Facility due to hours of operation
- ✓ 24 hour operations are permitted but no “residential” treatment
- ✓ 500 feet from RS and RD Districts
- ✓ Same parking as Specialty Medical Facility
- ✓ Major difference from Specialty Medical Facility:
  - Require use to address vehicular access, and particularly emergency vehicular access
- ❖ PARKING: Change from 1 per 300 sq ft to 1 per 200 sq ft floor area for treatment + 1 per 300 sq ft for remaining areas

Use Intensity



### C. URGENT CARE FACILITY 24-HOURS

#### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														<u>S</u>	<u>P</u>

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RP UD	PC D	PD-TO	LA C	PD-I
		<u>P</u>		<u>P</u>				<u>P</u>					<u>P</u>		<u>P</u>	<u>P</u>

#### 2. Definition

An urgent care facility 24-hours is a facility which holds itself out to the general public as a walk-in, extended-hour access facility where immediate, but not emergent, care is provided. Patients shall be served solely on an outpatient basis and such services shall not include overnight stays.

#### 3. Standards

An urgent care facility 24-hours shall comply with the following standards:

- a. Separation from Residential Uses. The facility shall be at least 500 feet from a Single Family (RS) or Two-Family (RD) Zoning District.
- b. Overnight Treatment. Overnight Treatment is prohibited.
- c. Hours of Operations. The facility may be open 24 hours per day.
- d. Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the facility, with minimal conflicts with other vehicular or pedestrian traffic in the area.

# RECOMMENDED USE: *Specialty Hospital*

- ✓ More intensive than Urgent Care Facility 24-Hours due to overnight stays/residential treatment
  - ✓ “Specialty Hospital” is a term found in FL SS / Hospital which offers a restricted range of services
    - Cancer Treatment Center of America
    - Fort Lauderdale Hospital (Psychiatric and Substance Abuse)
    - Children’s Hospital
  - ✓ 500 ft from all Residential Districts
  - ✓ Minimum 3 acres
  - ✓ Requires Perimeter Security Plan
  - ✓ Requires outdoor recreation space
- ❖ PARKING: Change from 1 per 3 inpatient beds to 1 per 1 bed + 1 per 250 sq ft of areas not used for beds or applicant can submit Parking Study

Use Intensity



## D. SPECIALTY HOSPITAL

### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														<u>S</u>	<u>P</u>

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
		<u>P</u>		<u>P</u>				<u>P</u>					<u>P</u>		<u>P</u>	

### 2. Definition

A specialty hospital is a hospital which offers a restricted range of services appropriate to the diagnosis, care, and treatment of patients with specific categories of medical or psychiatric illnesses or disorders which include: Specialty medical hospitals; Specialty rehabilitation hospitals; Specialty psychiatric hospitals, which may include beds licensed to offer Intensive Residential Treatment programs; Specialty substance abuse hospitals, which may include beds licensed to offer Intensive Residential Treatment programs; and an Addictions Receiving Facility.

### 3. Standards

A specialty hospital shall comply with the following standards:

- a. Separation from Residential Uses. The hospital shall be at least 500 feet from a Residential Zoning District.
- b. Overnight Treatment. Overnight Treatment is permitted.
- c. Hours of Operations. The hospital may be open 24 hours per day.
- d. The specialty hospital shall be located on a site that has an area of at least three acres and fronts on or has direct access to and from an arterial or collector street.
- e. Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the specialty hospital, with minimal conflicts with other vehicular or pedestrian traffic in the area.
- f. A Perimeter Security Plan is required and shall address at a minimum vehicular and pedestrian access to site, parking areas, and lighting.
- g. Outdoor recreation and/or passive space shall be provided for both patients and visitors.

# REVISED USE: *General Hospital*

- ✓ More intensive than Specialty Hospital as this use is for broad range of services.
  - ✓ 500 ft from all Residential Districts
  - ✓ Minimum 5 acres
  - ✓ Requires Perimeter Security Plan
  - ✓ Requires outdoor recreation space
- ❖ **PARKING:** Change from 1 per 3 inpatient beds to 1 per 1 bed + 1 per 250 sq ft of areas not used for beds or applicant can submit Parking Study

Use Intensity



## C E. GENERAL HOSPITAL

### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														P S	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RP UD	PC D	PD- TO	LA C	PD- I
		P		P		S		S					P	P	P	

### 2. Definition

A general hospital is a state-licensed institution that provides primary health services and medical or surgical care to humans, primarily inpatients, who are sick or injured, and including as an integral part of the institution, related facilities such as clinical laboratories, outpatient facilities, training facilities, central services facilities, and staff offices. Hospitals offer facilities and beds for use beyond 24 hours by persons needing medical treatment or service. ~~This use type does not include nursing home facilities, medical treatment facilities, medical clinics, drug or alcohol treatment facilities, or psychiatric treatment facilities.~~

### 3. Standards

A hospital shall comply with the following standards:

- a. **Separation from Residential Uses.** The hospital shall be at least 500 feet from a Residential Zoning District.
- b. **Overnight Treatment.** Overnight Treatment is permitted.
- c. **Hours of Operations.** The hospital may be open 24 hours per day.
- ad. The hospital shall be located on a site that has an area of at least five acres and fronts on or has direct access to and from an arterial or collector street.
- be. Vehicular access and circulation systems and exterior signage shall be designed to provide safe and separate emergency vehicle access to the hospital, with minimal conflicts with other vehicular or pedestrian traffic in the area.
- f. A Perimeter Security Plan is required and shall address at a minimum vehicular and pedestrian access to site, parking areas, and lighting.
- g. Outdoor recreation and/or passive space shall be provided for both patients and visitors.

# REVISED USE: *Medical or Dental Lab*

- ✓ Revise Definition to include definitions of Blood and Tissue Collection Center and Blood Plasma Donation Centers
- ✓ Make Special Exception in B-3
- ✓ Permit in I-1 and OIP
  
- ❖ PARKING: Change from 1 per 300 sq ft to 1 per 500 sq ft

Use Intensity



## F. MEDICAL OR DENTAL LAB

### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														<u>P</u>	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
		<u>P</u>		<u>P</u>		<u>P</u>		<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>	

### 2. Definition

A medical or dental lab consists of facilities and offices for performing diagnostic or therapeutic medical procedures of a non-surgical nature, providing diagnostic analysis of medical tests (such as blood test urinalysis, CT Scan, X-ray or other medical tests related to diagnostic treatment); collecting or withdrawing human blood, organs, skin, or other human tissue; or producing such items as dentures, caps, bridges and optical prescriptions.

A faint, grayscale background image showing a pair of hands cupping a globe. The hands are positioned on the left and right sides, with fingers slightly curled around the globe. The globe is centered and shows some latitude and longitude lines. The overall image is soft and out of focus.

# Recommended Accessory Uses

# REVISED USE: *Limited Mental Health Treatment Facility*

- ✓ Revise Definition to exclude facilities with intensive outpatient
- ❖ PARKING: Require portion of building used for use to provide 1 per 200 sq ft

## RR. LIMITED MENTAL HEALTH TREATMENT FACILITY

...

### 2. Definition

A limited mental health treatment facility is an accessory use for the practice of mental health counseling, practice of marriage and family therapy, and/or practice of clinical social work, as defined in F. S. § 491.003, on an a non-intensive out-patient basis only. This use strictly prohibits the on-site dispensing of both medicinal and non-medicinal drugs. This use strictly prohibits the written order or prescription for any medicinal and non-medicinal drugs.



Use Intensity

# RECOMMENDED USE: *Retail Clinic*

- ✓ Permitted locations – same as grocery stores, big box stores, and pharmacies

## BACKGROUND INFORMATION:

- Retail clinics range in size from one exam room to multiple exam rooms, with sinks and exam tables. The clinics generally occupy 200-500 square feet and are outfitted with all the necessities of an outpatient health care office. Most of the clinics are open seven days a week – twelve hours a day during the workweek and eight hours on Saturday and Sunday.
- The clinics are primarily staffed by NPs, along with physician assistants (PAs) and physicians tied to a corporate entity.
- The first clinics opened in 2000.
- As of November 2014, there were approximately 1,805 retail clinics throughout the country, a number projected to reach upward of 2,800 by 2015
- Nearly half (44 percent) of all clinics were located in five states (Florida, California, Texas, Minnesota, and Illinois).

*Health Care on Aisle 7, NY Report on Convenient Care, Retail clinics: Update and implications*

As of July 2009, there were approximately 1,107 retail clinics in operation (Figure 1) in the United States.<sup>3</sup>

Figure 1: Total retail clinics in operation

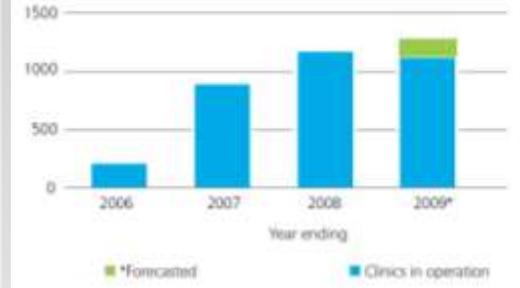


Figure 1  
Location of Retail Clinics in the United States



Use Intensity

## VV. RETAIL CLINIC

### 1. Districts Where Permitted

<u>RS-1</u>	<u>RS-2</u>	<u>RS-3</u>	<u>RS-4</u>	<u>RS-L</u>	<u>RD-1</u>	<u>RM-7</u>	<u>RM-12</u>	<u>RM-20</u>	<u>RM-30</u>	<u>RM-45</u>	<u>MH-12</u>	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>
												<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

<u>M-1</u>	<u>CR</u>	<u>I-1</u>	<u>I-IX</u>	<u>OIP</u>	<u>M-2</u>	<u>TO</u>	<u>PR</u>	<u>CF</u>	<u>PU</u>	<u>T</u>	<u>BP</u>	<u>RP-UD</u>	<u>PC-D</u>	<u>PD-TO</u>	<u>LA-C</u>	<u>PD-!</u>
		<u>A</u>				<u>A</u>						<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

### 2. Definition

A retail clinic is an accessory use located within a grocery store, pharmacy, or large retail store for the diagnosis and treatment of common household illnesses such as strep throat and eye, ear, sinus and other similar infections; the treatment of minor wounds; abrasions and joint sprains; the injection of common vaccinations; wellness services; and routine lab tests.



Recommended Uses, not Health  
Care

# REVISED USE: *Personal Services Establishment*

- ✓ Existing Commercial Use.
- ✓ Revise Definition to include Massage Therapy, Optometrist, and Hearing Aide
  - These services are typically offered in a retail setting and/or in conjunction with retail sales.

## **K. PERSONAL SERVICES ESTABLISHMENTS**

### **1. Definition**

A personal services establishment is an establishment primarily engaged in the provision of frequent or recurrent needed services of a personal nature that are not typically medically related. Examples include but are not limited to, hair salons, tanning salons, and nail care salons, barber shops, yoga studios, martial arts studios, massage therapy (by persons who are licensed as a massage therapist under Chapter 480 of the Florida Statutes), hearing aids and/or optometry services, and similar establishments—but not including any sexually oriented business.



Use Intensity





Focus on Redevelopment Areas

# Northwest Community Redevelopment Plan (1989)

- ✓ This district would strive to promote a cohesive development redevelopment of the historic downtown by implementing attractive and pedestrian oriented areas through incentives and guidelines regarding parking and landscaping.
- ✓ Viable commercial uses to revitalize MLK Boulevard and Old Downtown
- ✓ The NWCRA contains a substantial number of slums, deteriorated structures that are a menace to the health, safety or welfare of area residents. The existence of these slum and blighted conditions contribute substantially to the spread of disease and crime, decrease the tax base and substantially impair or arrest sound growth.
- ✓ Through programs aimed at the elimination of slum and blighted conditions and improving the standard of living of its residents, the CRA hopes to provide the catalyst for the revitalization of the entire area.
- ✓ Downtown has to be a unique, niche market. It offers the kind of historic character, walkable streets, and cultural amenities that are difficult to match in a conventional shopping center.
- ✓ A good downtown retail environment can also tap underserved markets that are typically not targeted by the typical consumer establishment. The uses best suited to this kind of an environment include:
  - Art, antiques, local crafts, and specialty gifts.
  - Dining and food specialties such as ice cream, bakeries, cafes
  - Entertainment, music, bars, and games
  - Specialty apparel and accessories
  - Tourist oriented items such as souvenirs, maritime themed goods etc.
  - Downtown has to be managed as a coordinated retail environment. A consistent image campaign, marketing program

# East Community Redevelopment Plan (2001)

- ✓ The AOD allows for a wide range and mix of commercial entertainment, office, hotel and residential uses, creating a safe pedestrian oriented area
- ✓ The AOD is intended to foster a denser, mixed use and more pedestrian friendly character.
- ✓ Consistent approach to redevelopment that will reinforce the sense of the area as a distinctive commercial and entertainment district.
- ✓ Through programs aimed at the elimination of slum and blighted conditions and improving the standard of living, the CRA hopes to provide the catalyst for the revitalization of the entire area.
- ✓ The existence of these blighted conditions contributes substantially to the spread of crime, decrease the tax base and impair or arrest sound growth.
- ✓ The successful reprogramming and merchandising of the retail environment in the East CRA should also be mindful of certain trends and characteristics in traditional, pedestrian oriented retail districts.
- ✓ The Atlantic Boulevard corridor should also be managed as a coordinated retail environment. A consistent image campaign, marketing program, and area-wide promotions are essential.

# Health Care Use Regulations from CRA's

## Daytona Beach CRA:

- Added language to allow treatment facilities and residential care facilities as a conditional use.
- Prohibit massage parlors.
- The City of Daytona Redevelopment Midtown Zoning Districts prohibit:
  - Blood/tissue collection centers
  - Drug or alcohol treatment facility
  - Medical treatment facility
  - Psychiatric treatment facility.

# Specific Concern: Massage Establishments

## ***FLORIDA CRACKING DOWN ON MASSAGE PARLORS***

"From May 13 to 15, across the state, a slew of "body rub" businesses was busted by the Department of Health for operating without proper massage licenses....More than a third of those orders — 24 of them — were in Broward and Palm Beach counties. "BROWARD/PALM BEACH NEW TIMES JULY 8, 2015

### City of Hollywood, FL:

- Instituted distance requirements for massage establishments (2500 ft. from each use).

### City of Mountain View, CA:

- Requires conditional review for massage establishments

# General Recommendations for AOD and DPOD

- ✓ Prohibit health care uses that do not foster pedestrian activity and tourism.
- ✓ Prohibit health care uses that are not in accordance with CRA redevelopment plans.
- ✓ Discourage the agglomeration of health care uses that the potential to inhibit the ability to foster tourism and mixed use development in accordance with CRA redevelopment plans.

# Specific Recommendations for AOD and DPOD

## Uses Currently Prohibited

- Blood/tissue collection center
- Drug or Alcohol Treatment Facility which provides inpatient treatment
- Hospital
- Medical or Dental Clinic which provides overnight care and treatment
- Psychiatric Treatment Facility which provides inpatient treatment

## Uses Proposed to Prohibited

- Specialty Medical Facility
  - Medical or Dental Lab
- Urgent Care Facility – 24 Hours
- Specialty Hospital
- General Hospital

Use Intensity



# Recommended Use Specific Standards

## **In AOD and DPOD:**

- Personal Services Establishment which only offer Massage Therapy shall be required to comply with the following use specific standards:
  - Require public entrance from the storefront (no side or rear public entrance)
  - SE approval required if they are less than 1,000 feet from another establishment only offering massage therapy (measured from public entrances)
- Medical Offices:
  - Hours of Operation are limited to 7:00 a.m. until 7:00 p.m.

## **In AOD only:**

- Medical Offices:
  - For properties abutting Atlantic Blvd, only the “lobby” may be located on the 1<sup>st</sup> floor. No treatment may be provided on 1<sup>st</sup> floor.



# The Right Use in the Right Location: Health Care Uses

November 2015

