

CITY OF VENICE
Planning & Zoning Department

Memorandum

TO: Planning Commission

FROM: Jim Koenig, AICP, Planner

THRU: Jeff Shrum, AICP, Development Services Director

SUBJECT: Pain Management Clinic Text Amendment (No. 16-3AM)

DATE: October 4, 2016

Petition Request Overview

The City Clerk's office observed that Ordinance No. 2013-03 had expired on February 12, 2015. The ordinance provided regulatory standards for pain management clinics within the city. Planning staff is requesting consideration of readopting the ordinance with no changes except removal of the sunset provision to allow continued regulation of pain management clinics.

Original Intent of the Ordinance

- In 2011, Sarasota County passed Ordinance No. 2011-016 regulating pain management clinics. The ordinance is codified in Chapter 62 of the county's code and is applicable to all municipalities in the county; however, each municipality is responsible for adopting its own regulations that provide zoning districts where these uses may be permitted along with performance standards to govern these uses.
- In response to the county ordinance, Venice City Council adopted Ordinance No. 2013-03 to provide regulatory standards for pain management clinics within the city. The ordinance indicated that pain management clinics may be permitted by Special Exception in the Office, Professional and Institutional (OPI); the Office, Medical and Institutional (OMI); and the Commercial General (CG) zoning districts. The use is prohibited in all other districts with the exception of the Planned, Commercial Development zoning district where it may be reviewed through the zoning process. The city's Land Development Code created a new Section 86-155 to provide standards for the operation of a pain management clinic, and created additional amendments to the definitions and parking sections of the code.
- Ordinance No. 2013-03 also contained a sunset provision whereby it would automatically expire two years after its adoption unless executed by City Council prior to its expiration. The ordinance was adopted on February 12, 2013, and officially expired (sunset) on February 12, 2015.

Since its adoption, the Planning Commission has considered and approved one Special Exception for a pain management clinic. There has been no indication from Venice Police Department and Code Enforcement staff that any issues have surfaced from this use.

Text Amendment

The attached draft ordinance is presented in a legislative ~~striketrough~~/underline format. The proposed changes involve removing the sunset provision and all language associated with the Commercial Intensive (CI) and Commercial General (CG) zoning districts. Language pertaining to the CI and CG zoning districts has been revised with Ordinance No. 2016-01, which included pain management clinic regulations.