



Meeting Minutes Planning Commission

Tuesday, October 4, 2016

1:30 PM

Council Chambers

16-3AM

LAND DEVELOPMENT CODE TEXT AMENDMENT - REGULATIONS PAIN MANAGEMENT CLINICS

Staff: Jim Koenig, AICP, Planner and Jeff Shrum, AICP, Development Services Director

Mr. Snyder opened the public hearing and spoke regarding the petition with no written communications received.

Mr. Shrum provided a presentation on the regulations of pain management clinics, ordinances, zoning districts, sunset clause, language, cleanup of ordinance, exceptions, sections in the prior ordinance for the prohibited and viable uses specifically for the Commercial Intensive (CI) and Commercial General (CG) districts, revising sections, sunset provision, synopsis of state, Sarasota County and city regulations, primary difference between county and city regulations, permitting site, uses, mirroring of what Sarasota County does as to not have overlap, location aspects, sections of the ordinance, special exception in the code, language, allowance of special exceptions, standards, and standards of pain management clinics.

Discussion took place regarding the open use conservation district, county and city zoning, special exception, proposed use, Planned Commercial District (PCD), Planned Unit Development (PUD), Commercial Mixed Use (CMU), and default zoning districts.

Mr. Koenig spoke regarding the original ordinance which lists the pain management clinic as an allowable use under the special exception for Office Professional Institutional (OPI), Office Medical Institutional (OMI) and CG, and use being prohibited in all other zoning districts with the exception of PCD.

Mr. Towery spoke regarding jurisdictions, state statutes, regulations, pain management clinics being monitored by the state, state and county recognition, city requirements, and motion to remove the requirement of the special exception and make it a matter of right in OMI, OPI and CG.

Discussion took place in regards to pain medication prescriptions, abuse of prescription narcotics, hours of operation, ordinance language, pharmacies, law enforcement, other services, approval of a prior pain clinic, CI not being in the new ordinance, recommendation of allowance

by right, changes, special exception clause, registration with the state, and the requirements being met.

Discussion followed on the Sarasota pain management hours, clinics being a legitimate business, parking requirements Venetian Bay pain management clinic and the clinic in the Tandem Center.

Mr. Snyder closed the public hearing.

A motion was made by Mr. Newsom to set hours of operation on Monday through Thursday 8:00 a.m. until 5:00 p.m., Friday 8:00 a.m. until 2:00 p.m. and closed Saturday and Sunday. The motion failed due to lack of a second.

Mr. Shrum spoke regarding the code sections, applying regulations, expiration, sunset provision, and language in the text of the code.

A motion was made by Ms. Fawn, seconded by Ms. Moore, that based on the staff presentation and testimony provided during the public hearing, the Planning Commission, sitting as the local planning agency and land development regulation commission, finds this petition consistent with the Land Development Code and the Comprehensive Plan and recommends to City Council Approval of Text Amendment Petition 16-3AM. The motion carried by the following vote:

Yes: 6 - Chair Snyder, Ms. Moore, Mr. Towery, Mr. Graser, Mr. Murphy and Ms. Fawn

No: 1 - Mr. Newsom