



CITY COMMISSION STAFF REPORT

DEPARTMENT: Commission

DATE: December 12, 2023

SUBJECT: Discussion and possible action revising Sec. 23-104.1. - Pharmacies, medical offices or clinics, and medical or dental laboratories - Location restrictions of the City's Code of Ordinances. – **Commissioner Shrouder**

RECOMMENDATION:

Commissioner Shrouder requests a discussion and possible action on revising Sec. 23-104.1.

BACKGROUND OF ITEM:

The Code Currently states:

Sec. 23-104.1. Pharmacies, medical offices or clinics, and medical or dental laboratories—
Location restrictions.

(a) Pharmacies.

(1) Unless approved as a conditional use pursuant to section 23-152 of the Code of Ordinances, no pharmacy shall be permitted to locate within the same establishment, within the same shopping center, or within the same parcel of land or tract of any medical office or clinic, or any medical or dental laboratory, which is staffed by health care practitioners licensed to prescribe controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355, as may be amended from time to time.

(2) Outparcels. The location restriction of subsection (1) above shall not apply to a pharmacy which is located within an outparcel as defined in section 21-8 of the Code, within the same shopping center, or within the same parcel of land or tract, as a medical office or clinic, or medical or dental laboratory, which is staffed by health care practitioners licensed to prescribe controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355, as may be amended from time to time. However, no pharmacy shall be permitted to locate within the same outparcel as any medical office or clinic, or medical or dental laboratory, which is staffed by health care practitioners licensed to prescribe controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355, as may be amended from time to time, unless approved as a conditional use.

(b) Medical offices or clinics, or medical or dental laboratories.

- (1) Unless approved as a conditional use pursuant to section 23-152 of the Code of Ordinances, no medical office or clinic, or any medical or dental laboratory, which is staffed by health care practitioners licensed to prescribe controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355, as may be amended from time to time, shall be permitted to locate within the same establishment, within the same shopping center, or within the same parcel of land or tract of any pharmacy.
- (2) Outparcels. The location restriction of subsection (1) above shall not apply to a medical office or clinic, or medical or dental laboratory, which is staffed by health care practitioners licensed to prescribe controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355, as may be amended from time to time, which is located within an outparcel as defined in section 21-8 of the Code, within the same shopping center, or within the same parcel of land or tract, as a pharmacy. However, no medical office or clinic, or medical or dental laboratory, which is staffed by health care practitioners licensed to prescribe controlled substances identified in Schedule II, III, or IV in F.S. §§ 893.03, 893.035, or 893.0355, as may be amended from time to time, shall be permitted to locate within the same outparcel as a pharmacy, unless approved as a conditional use.
- (c) The foregoing location restrictions shall not apply to pharmacies or medical offices or clinics, or medical or dental laboratories, for which an application for a business tax receipt has been submitted prior to the date of adoption of this Ordinance.
- (d) These supplemental regulations are not to be interpreted to limit the lawful operation of a hospital or institution or asylum separately defined and permitted in zoning districts according to separate regulations.

ANALYSIS:

N/A

STRATEGIC PLAN:

N/A

FISCAL IMPACT:

N/A

ALTERNATIVES:

N/A

ATTACHMENTS:

1. Ordinance 10-5-1

Workflow History



User	Task	Action	Date/Time
Allen, Tedra	NEW ITEM: Not Yet Routed	*COMPLETE: Forward to ...	12/04/23 02:57 PM
Horowitz, Jacob	Assigned to Attorney	COMPLETE: Forward to ...	12/05/23 10:26 AM
Eggleston, Ryan	Assigned to City Manager	COMPLETE: Forward to ...	12/05/23 02:28 PM
Allen, Tedra	Assigned to City Clerk	APPROVE ITEM: End Wo...	12/08/23 11:13 AM
Allen, Tedra	END WORKFLOW - APPROVED		12/08/23 11:51 AM