



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 4, 2014

Honorable Karen E. Rushing
Clerk of the Circuit Court
Board Records Department
Sarasota County
1660 Ringling Boulevard, Suite 210
Sarasota, Florida 34236

Attention: Cheryl Dexter, Recording Secretary

Dear Ms. Rushing:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Sarasota County Ordinance No. 2014-066, which was filed in this office on November 4, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE NO. 2014-066

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, (ZONING ORDINANCE AMENDMENT NO. 93) AMENDING SARASOTA COUNTY ORDINANCE NO. 2003-052 (AS AMENDED FROM TIME TO TIME) CODIFIED AS APPENDIX A OF THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FOR FINDINGS; AMENDING SECTION 5.1, RELATING TO USE TABLE; AMENDING SECTION 5.2, RELATING TO USE CATEGORIES; AMENDING SECTION 5.3., RELATING TO LIMITED AND SPECIAL EXCEPTION USE STANDARDS; AMENDING SECTION 7.1 RELATING TO OFF-STREET VEHICULAR FACILITIES; PARKING AND LOADING; AMENDING SECTION 10 RELATING TO DEFINITIONS; PROVIDING FOR EFFECT ON OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

GOVANS PELLERIN
FILED FOR THE CLERK OF THE
2014 NOV -4 PM 3:48
KAREN E. RUSHING
CLERK OF THE CIRCUIT COURT
SARASOTA COUNTY, FL

WHEREAS, on November 4, 2014, the voters of the State of Florida will consider Amendment No. 2 on the ballot, which if passed will create Article X, Section 29 of the Florida Constitution, relating to the issue of medical marijuana production, possession, and use;

WHEREAS, under Article VIII, Section 1(g) of the Florida Constitution and as a charter county, the Board of County Commissioners possesses the powers of local self-government, including to enact any ordinance, not inconsistent with general law, or with special law approved by vote of the electors;

WHEREAS, the Board of County Commissioners may designate proper zoning districts to create compatibility of uses amongst neighboring properties; and

WHEREAS, the co-location of use associated with cultivation, processing, and delivery of medical marijuana in Medical Marijuana Treatment Centers and through Personal Caregiver cooperatives, as those terms are described by Amendment No. 2, will disrupt the Euclidean zoning separating agricultural, industrial, and commercial uses established by the Zoning Regulations;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

Section 1. Findings. The Board of County Commissioners, hereinafter referred to as the "Board" hereby makes the following findings:

A. The Board has held public hearings on the proposed amendments described herein in accordance with the requirements of the Sarasota County Zoning Ordinance and has considered the information received at said public hearings.

B. By a vote of majority plus one, the Board has waived the requirement for a public hearing after 5:00 p.m.

C. The Board, sitting as the Sarasota County Land Development Regulation Commission, has reviewed the proposed amendments provided herein and has found that the amendments are consistent with the Sarasota County Comprehensive Plan.

Section 2. Amendment to Section 5. of Ordinance No. 2003-052, as amended, relating to Use Table.

Subsection 5.1.2. of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended as follows:

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RESIDENTIAL USES		OJA	OUC	OUM	OUR	OUA	RE	RSF	RMF	RMH	CN	OPI	CG	PCD	CHI	CI	CM	IR	ILW	GU	
Household Living [see 5.2.3.a]	Single-family detached	P					P	P												5.3.2.i	
	Lot line, traditional, patio, villa or atrium house							L	P											5.3.2.e	
	Two-family house							L	P											5.3.2.e	
	Townhouse (semi-attached, roof-deck, stacked)							L	P					P						5.3.2.e	
	Multifamily (multiplax, apartment)								P												
	Manufactured home									P											
	Manufactured home park/subdivision									P											
	Accessory dwelling unit								L												5.3.2.a
	Guest house	L						L	L												5.3.2.d
	Short term rental									L											5.3.2.g, 5.3.2.h
	Live-work unit																				5.3.2.e
	Upper story/attached residential																				5.3.2.j, 5.3.4.aa
	All group living, except as listed below							SE	L	L	SE	L	L	L	L						5.3.2.c
	Group Living [see 5.2.3.b]	Boarding house, rooming house, fraternity or sorority						SE	SE	L	SE	L	L	L	L						
Community residential home, 6 or fewer residents		L/SE					L	L	L	L											5.3.2.b
Community residential home, 7 to 14		SE					SE	SE	SE	SE											5.3.2.b

	OUA	OUC	OUM	OUR	OUE	RE	RSF	RMF	RMH	CN	OPI	CG	PCD	CHI	CI	CM	IR	ILW	GU		
residents																					
Group home, 15 or more residents						SE	SE	L												5.3.2.b	
PUBLIC AND CIVIC USES																					
Community Service [see 5.2.4.a]	All community service				SE	SE	SE	SE	SE	P	P	P	P	P	P				P	5.3.3.c	
	Rural retreat center	SE			SE	SE														5.3.3.k	
	Family day care home	P			P	P	P	P	P	P	P	P	P	P	P			SE			
	Large family child care home	P			P	P	P	P	P	P	P	P	P	P	P			SE			
Day Care [see 5.2.4.b]	Day care facility	L/SE			SE	SE	SE	L	SE	L	L	L	L	L	L		SE	SE	L	5.3.3.e	
	Adult day care home (up to 6)	P			P	P	P	P	P	P	P	P	P	P	P						
	Adult day care facility (7 or more)	SE			SE	SE	SE	L	SE	P	P	P	P	P	P					5.3.3.d	
	College or university									SE	P	P	P	P	P		P		P		
Educational Facilities [see 5.2.4.c]	Day facility				SE	SE	SE			P	P	P	P	P	P			P	P	5.3.3.d	
	Elementary, middle or high school				SE	SE	SE	SE			P	P	P	P	P				P		
	Vocational, trade or business school				SE	SE	SE				P	P	P	P	P			P	P		
	All government facilities, except as listed below																			P	
Government Facilities [see 5.2.4.d]	Jail, prison or work camp																			SE	
	All medical facilities, except as listed below									L	P	P	P	P	P			P	SE	5.3.3.g	
Medical Facilities [see 5.2.4.e]																					

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	Patient family accommodations	OUA	OUC	OUM	OUR	OUE	RE	RSF	RMF	RMH	CN	OPI	CG	PCD	CHI	CI	CM	IR	ILW	GU	L	5.3.3.j
	Pain Management Clinics											SE	SE									5.3.4.cc
Parks and Open Areas [see 5.2.4.f]	All parks and open areas, except as listed below	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Cemetery, columbaria, mausoleum, memorial park	L/SE			L/SE	L/SE	SE	SE	SE												P	5.3.3.b
Passenger Terminals [see 5.2.4.g]	Wild animal sanctuary	SE			SE	SE						P	P	P		P					P	5.3.3.n
	All passenger terminals, except as listed below																					
Places of Worship [see 5.2.4.h]	Airport, heliport				L							L	L	L	L	L	L	L	L	L	L	5.3.3.a
	All places of worship	SE			SE	SE	SE	SE	SE	SE	L	P	P	P	P	P						5.3.3.j 5.3.3.k
Social Service Institutions [see 5.2.4.i]	All social service institutions, except as listed below											SE	SE	SE	SE	SE					SE	5.3.3.l
	Neighborhood resource center								SE		L	L	P	P	P	P				P	P	5.3.3.h
Utilities [see 5.2.4.j]	Major utilities	L			L	L	L	L	L	L	L/SE	L/SE	L/SE	L/SE	L	L/SE	L	L	L	L	L	5.3.3.f
	Minor utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Electric or gas generation plant																					
	Stormwater facility in different zoning district than principal					L/SE	L/SE	L/SE	L/SE	L/SE	P	P	P	P	P	P	P	P	P	P	P	5.3.3.m

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	OUA	OUC	OUM	OUR	OUE	RE	RSF	RMF	RMH	CN	OPI	CG	PCD	CHI	CI	CM	IR	ILW	GU	
and building supplies up to 60,000 square feet gross floor area												P								
Pawn shops																				
Retail sales, over 60,000 square feet gross floor area in a single occupant building												SE	SE		SE				SE	
Medical Marijuana Dispensary											SE	SE								5.2.5.f 5.3.4.eg 5.3.4.f
All self-service storage											L	P	P		P					
All transient accommodations, except as listed below										L/SE		SE	L	L	L	SE				5.3.4.p, 5.3.4.t, 5.3.4.u
Bed and breakfast										L/SE		L	L	L		SE				5.3.4.c, 5.3.4.t
Car wash, full or self-service												P	P	P	P					
Truck stop												SE		SE	P					
Vehicle sales, leasing or rental																				
Vehicle service, intensive																				
Vehicle service, general												L	L	L	L					5.3.4.u
Boat livery/marina												P			P				SE	

Section 3. Amendment to Section 5.2.5.f. of Ordinance No. 2003-052, as amended, relating to Limited and Special Exception Use Standards.

Subsection 5.2.5.f of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended as follows:

f. Retail Sales and Service. Characteristics: Companies or Individuals involved in the sale, lease, or rental of new or used products, or providing personal services or repair services to the general public.

Principal Uses	Accessory Uses	Uses Not Included
Sales-Oriented:	Ancillary indoor storage	Boarding for horses (see Agriculture, stable)
Store selling, leasing or renting consumer, home, and business goods including, but not limited to, alcoholic beverages, antiques, appliances, art, art supplies, baked goods, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronic equipment, fabric, flowers, furniture, garden center, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, musical instruments, pets, pet supplies, pharmaceuticals, photo finishing, picture frames, plants, postal substation, printed materials, produce, souvenirs, sporting goods, stationery, tobacco and related products, vehicle parts and accessories, videos, full- or self-serve gas (NAICS 44131, 442, 443, 444, 445, 446, 447, 448, 451, 452, 453, except 45393)	Associated office	Car wash (see Vehicle Sales and Service)
Personal Service-Oriented:	Automatic one bay car wash facility (see 5.4.4.a)	Crematorium (see Light Industrial Service)
Animal grooming (NAICS 81291)	Food preparation and dining area	Large-scale catering (see Light Industrial Service)
Animal hospital or veterinarian, with or without animal boarding (NAICS 54194)	Repackaging of goods for on-site sale	Laundry or dry-cleaning plant (see Light Industrial Service)
Athletic, tennis, swim or health club	Residential unit for security purposes (single unit)	Repair or service of motor vehicles, motorcycles, RVs, boats, and light and medium trucks (see Vehicle Sales and Service)
Art, music or photographic studio or classroom	Storage of goods	Restaurant (see Restaurants)

Dry-cleaning or laundry drop-off facility, Laundromat (NAICS 81231, 81232)		Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Trade)
Funeral home or mortuary		Small-scale catering (see Restaurants)
Hair, nail, tanning, massage therapy and personal care service (NAICS 8121)		Any use that is potentially dangerous, noxious or offensive to neighboring uses in the district or those who pass on public ways by reason of smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause (see Heavy Industrial)
Photocopy, blueprint, package shipping and quick-sign service (NAICS 561439)		
Psychic or medium		
Security service		
Taxidermist		
Urgent care or emergency medical office		
Repair-Oriented:		
Appliance, bicycle, canvas product, clock, computer, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair		
Tailor, milliner, upholsterer (NAICS 8112, 8114)		
Locksmith (NAICS 561622)		
Medical Marijuana Dispensaries		

Section 4. Amendment to Section 5.2.6.a of Ordinance No. 2003-052, as amended, relating to Limited and Special Exception Use Standards.

Subsection 5.2.6.a of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended as follows:

- a. *Light Industrial Service*. Characteristics: Firms engaged in the manufacturing, assembly, repair or servicing of industrial, business, or consumer machinery, equipment, products, or by-products mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.

Principal Uses	Accessory Uses	Uses Not Included
Building, heating, plumbing, landscaping or electrical contractor and others who perform services off-site, but store equipment and materials or perform fabrication or similar work on-site (NAICS 232, 234, 235)	Associated showroom	Borrow pit, mining (see Resource Extraction)
Bulk mailing service	Accessory medical clinics	Manufacture and production of goods from composting organic material (see Waste-Related Service)
Catering establishment, large-scale	Ancillary indoor storage	Outdoor storage yard (see Warehousing and Freight Movement)
Clothing or textile manufacturing, manufacture or assembly of equipment, instruments (including musical instruments), appliances, precision items, electrical items, printing, publishing, and lithography, production of artwork and toys, sign-making (NAICS 313, 314, 315, 316, 323, 334, 335, 339)	Associated office	Sale or rental of machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures (see Wholesale Trade)
Crematorium	Cafeteria	Small-scale catering establishments (see Restaurants)
Janitorial and building maintenance service, exterminator, maintenance yard or facility (NAICS 56171, 56172, 56173, 56174)	Day care	
Laundry, dry-cleaning, and carpet cleaning plants (NAICS 81233)	Employee recreational facility	
Movie production facility (NAICS 51211)	Off-street parking	
Photo-finishing laboratory (NAICS 812921)	On-site repair facility	
Repair of scientific or professional instruments, electric motors (NAICS 8112)	Residential unit for security purposes (single unit)	
Research, testing, and development laboratory (NAICS 5417)	Retail or wholesale sales of goods manufactured on-site	
Sheet metal shop		
Soft drink bottling		
Storage area used for manufacturing		
Welding, machine, tool repair shop		
Woodworking, including cabinet makers and furniture manufacturing,		
<u>Medical Marijuana Research and/or Processing</u>		

Section 5. Amendment to Section 5.3.1. of Ordinance No. 2003-052, as amended, relating to Limited and Special Exception Use Standards.

Subsection 5.3.1 of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended to add Subsection 5.3.1.a.7 as follows:

5.3.1 Open Use Standards

a. Agricultural Uses. Agricultural uses are permitted in accordance with the Use Table in Section 5.1 subject to the following standards:

7. All Cannabis Farms shall adhere to the following minimum standards for planting, growing, harvesting, or drying of marijuana plants or any parts thereof:

a. Outside Cultivation Prohibited. Outside cultivation of Cannabis shall be prohibited. Areas of cultivation shall only be within a closed structure or greenhouse.

b. Gas Products. Gas products (including, without limitation, CO₂, butane, propane, and natural gas), or generators shall not be used within a closed structure or greenhouse used for the cultivation of Cannabis.

c. Access. Areas of cultivation must be restricted to authorized personnel, eighteen years of age or older. Such area of cultivations shall be secured and locked at all times when not occupied by authorized personnel of the Cannabis Farm.

d. Alarm System. Areas of cultivation shall be equipped with an alarm system that complies with the provisions of Chapter 50, Emergency Services, Sarasota County Code.

e. Separation Distance. Cannabis Farms shall be kept a minimum of 500 feet from any pre-existing school, house of worship, day care facility, public park, or public beach. All distance requirements shall be measured by drawing a straight line from the nearest property line of the pre-existing protected use to the nearest property line of the proposed Cannabis Farm.

f. Medical Marijuana Treatment Centers. Medical Marijuana Treatment Centers are not a permitted combination of uses under the Zoning Regulations. Instead, the individual uses are allowed separately as a Cannabis Farm, Medical Marijuana Dispensary, and Medical Marijuana Research and/or Processing.

Section 6. Amendment to Section 5.3.4. of Ordinance No. 2003-052, as amended, relating to Limited and Special Exception Use Standards.

Subsection 5.3.4 of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended to add subsection 5.3.4.ee as follows:

5.3.4 Commercial Use Standards.

ee. Medical Marijuana Dispensaries. Medical Marijuana Dispensaries are permitted in accordance with the Use Table in Section 5.1, subject to the following standards.

1. Loitering A Medical Marijuana Dispensary shall provide adequate seating for its patients and business invitees and shall not allow patients or business invitee to stand, sit (including in a parked car), or gather or loiter outside of the building where the dispensary operates, including in any parking areas, sidewalks, right-of-way, or neighboring properties for any period of time longer than that reasonably required to arrive and depart. No consumption of Cannabis is allowed on the premises. The Medical Marijuana Dispensary shall post conspicuous signs on at least three sides of the building that no loitering is allowed on the property.
2. No drive through service. No Medical Marijuana Dispensary shall have a drive through or drive in service aisle. All dispensing, payment for and receipt of products shall occur from inside the Medical Marijuana Dispensary.
3. No Queuing or Stacking of Motor Vehicles. A Medical Marijuana Dispensary shall ensure that there is no queuing or stacking of motor vehicles in any right-of-way.
4. Alcoholic Beverages. No consumption of alcoholic beverages shall be allowed on the premises, including in the parking areas, sidewalks, or right-of-way. The owner or tenant shall take all necessary and immediate steps to ensure compliance with this paragraph.
5. Separation Distances. Notwithstanding any language contained in Sections 5.1.2 or 5.2.4 of the Zoning Regulations, Medical Marijuana Dispensaries shall not be co-located on the same property with any medical office, pain management clinic, pharmacy, or other medical marijuana dispensary.

Medical Marijuana Dispensaries shall be kept a minimum of 500 feet from any Medical Marijuana Research and Processing Use, pre-existing school, house of worship, day care facility, public park, or public beach. All distance requirements shall be measured by drawing a straight line from the nearest property line of the pre-existing protected use to the nearest property line of the proposed Medical Marijuana Dispensary.

6. Operating Hours. Medical Marijuana Dispensaries shall only be allowed to operate between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 7 a.m. and 12:00 p.m. on Saturdays. Medical Marijuana Dispensaries shall not operate on Sundays.
7. Other Activities. Other than dispensing of Cannabis as permitted herein no Medical Marijuana Dispensary shall sell, market, dispense, provide, exchange, or otherwise vend any other services; product; or drug paraphernalia as defined by federal or state law or this Code.
8. Alarm Systems. Each Medical Marijuana Dispensary shall be equipped with an alarm system that complies with the provisions of Chapter 50, Emergency Services, of the Sarasota County Code governing alarm systems.
9. Compliance with Other Laws. All Medical Marijuana Dispensaries shall at all times be in compliance with all federal and state laws and regulations, and the Sarasota County Code.
10. Non-medical marijuana sales are prohibited in all zoning districts.
11. Notwithstanding any other provisions of the Zoning Regulations, Personal Caregivers may deliver or dispense Cannabis for Medical Use to a Qualifying Patient at an Adult Day Care, Extended Care Facility, hospital, Assisted Living Facility, or Nursing Home.
12. Medical Marijuana Treatment Centers. Medical Marijuana Treatment Centers are not a permitted combination of uses under the Zoning Regulations. Instead, the individual uses are allowed separately as a Cannabis Farm, Medical Marijuana Dispensary, and Medical Marijuana Research and/or Processing.

Section 7. Amendment to Section 5.3.5 of Ordinance No. 2003-052, as amended, relating to Limited and Special Exception Use Standards.

Subsection 5.3.5 of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended to add subsection 5.3.5.f. as follows:

5.3.5. Industrial Use Standards

f. Medical Marijuana Research and/or Processing. Medical Marijuana Research and/or Processing is permitted in accordance with the Use Table in Section 5.1, subject to the following standards:

1. Loitering A Medical Marijuana Research and Processing use shall not allow business invitees to stand, sit (including in a parked car), or gather or loiter outside of the building where the plant operates, including in any parking areas, sidewalks, right-of-way, or neighboring properties for any period of time longer than that reasonably required to arrive and depart. No consumption of Cannabis is allowed on the premises. The Medical Marijuana Research and Processing plant shall post conspicuous signs on at least three sides of the building that no loitering is allowed on the property.

2. Separation Distances. Notwithstanding any language contained in Sections 5.1.2 or 5.2.4 of the Zoning Regulations, Medical Marijuana Research and/or Processing use shall not be co-located on the same property with any medical office, pain management clinic, pharmacy, or other medical marijuana research or processing plant.

Medical Marijuana Research and/or Processing use shall be kept a minimum of 500 feet from any Medical Marijuana Dispensary, pre-existing school, house of worship, day care facility, public park, or public beach. All distance requirements shall be measured by drawing a straight line from the nearest property line of the pre-existing protected use to the nearest property line of the proposed Medical Marijuana Research and/or Processing use.

3. Operating Hours. Medical Marijuana Research and/or Processing use shall only be allowed to operate between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 7 a.m. and 12:00 p.m. on Saturdays, and shall not operate on Sundays.

4. Alarm Systems. Each Medical Marijuana Research and/or Processing use shall have any buildings equipped with an alarm system that complies with the provisions of Chapter 50, Emergency Services, of the Sarasota County Code governing alarm systems.

5. Compliance with Other Laws. All Medical Marijuana Research and/or Processing uses shall at all times be in compliance with all

federal and state laws and regulations, and the Sarasota County Code.

6. Medical Marijuana Treatment Centers. Medical Marijuana Treatment Centers are not a permitted combination of uses under the Zoning Regulations. Instead, the individual uses are allowed separately as a Cannabis Farm, Medical Marijuana Dispensary, and Medical Marijuana Research and/or Processing.

Section 8. Amendment to Section 7.1 of Ordinance No. 2003-052, as amended, relating to Off-Street Vehicular Facilities: Parking and Loading.

Subsection 7.1.7. of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended as follows:

a. In General.

1. The following required parking ratios are presumed appropriate for development within Sarasota County. Where in the opinion of the applicant, a listed ratio requires too much or too little parking, the applicant may provide an alternative parking plan with data submitted by the applicant in support of higher or lower ratios (in accordance with Section 7.1.11). The County Engineer and Zoning Administrator shall review and make a final decision on the plan.
2. Where development on a specific site has already occurred according to the ratios of this section, but the site exhibits a continuing or recurring parking problem that creates a hazard to public safety, the Zoning Administrator shall have the authority to require an alternative parking plan that illustrates a solution to the parking problem. The Zoning Administrator's decision to require such a plan may be appealed to the Zoning Board of Appeals.
3. Regardless of any other requirement of these zoning regulations, each and every separate individual store, office, or other business shall be provided with at least one off-street parking space, unless specific provision to the contrary is made herein.

b. Required Parking Ratios. The following minimum off-street parking requirements are applicable to all base zoning districts. See Section 4.10.4 for additional parking ratios for uses located in the Siesta Key Overlay District (SKOD).

Use	Parking Requirement (spaces)
OPEN USES	
Agricultural Support and Services	1 per 500 SF floor area

Aircraft landing field or helicopter landing facility	1 per 250 SF enclosed floor area, excluding hangars
Commercial Stable	1 per 5 horse stalls
Feeding pen, milk processing, packing house, stockyard	1 per 250 SF office
Kennel or animal boarding	1 per 250 SF office
Livestock Auction	1 per 250 SF office
Resource Extraction	1 per employee plus 1 per 250 SF office
<u>Cannabis Farm</u>	<u>1 per 500 SF floor area</u>
RESIDENTIAL USES	
Single-Family Detached, Lot Line, Traditional, Patio, Villa or Atrium House)	2 per unit
Two-Family	2 per unit
Multifamily	1 bedroom—1 ½ per unit, plus 1 per 5 units labeled for visitors, located in proximity to each building
	More than 1 bedroom - 2 per unit, plus 1 per 5 units labeled for visitors, located in proximity to each building
Manufactured Home Park	2 per space, plus 1 per 250 SF office, laundry, recreation or similar building
Upper-Story/Attached Residential	2 per unit
Assisted Living Facility	1 per unit (employ density calculation of units = ½ or ¼/Section 5.3.2.c.)
Fraternity or sorority house	1 per 2 bedrooms
Group Home	1 per 3 residents max, occupancy
Guest House	1 per unit
Rooming or Boarding House	1 per 2 bedrooms
PUBLIC AND CIVIC USES	
Cemetery, Columbaria, Mausoleum, Memorial Park	1 per 4 seats in chapel area plus 1 per 250 SF officer
College or University	1 per 250 SF floor area
Day Care, Adult and Child	1 per employee, plus off-street drop-off area
Golf, Yacht or Tennis Club	4 per golf hole, plus 5 per tennis court, plus 2 per each 3 wet slips, plus

	1 per 300 SF of floor area
Hospital	2 per bed
Institution, Community or Neighborhood	1 per 250 SF Floor Area
Jail, Prison, or Work Camp	1 per employee plus 1 per 250 SF office
Medical, Dental Clinic	1 per 250 SF floor area
Passenger Terminal	1 per employee plus 1 per 250 SF of terminal area
Place of Worship	1 per 3 seats in auditorium or chapel area
School, Elementary or Middle	2 per classroom, plus 1 per 3 seats in any area intended to be used as an auditorium
School, High	5 per classroom, plus 1 per 3 seats in any area intended to be used as an auditorium, plus 2 per 3 seats in any stadium that does not share parking
Vocational School	1 per 2 classroom seats, plus 1 per 250 SF office
COMMERCIAL USES	
Bar, up to 100 Seats	1 per 250 SF floor area
Over 100 Seats	1 per 50 SF area for eating, drinking or waiting
Bed and Breakfast	1 space per guest room plus 1 space for owner or operator
Boat Livery	1 per 6 boats in dry storage, plus 1 per 3 wet slips
Campground	2 per space
Car Wash, Full or Self-Service	1 per employee, plus 1 per 250 SF customer floor area
Club, Nonprofit	1 per 250 SF floor area
Convenience Store	1 per 200 SF floor area
Funeral Home	1 per 250 SF floor area
Furniture Stores (freestanding)	1 per 550 SF floor area
Golf Driving Range	1 per 10 lineal feet of tee area, plus 1 per 250 SF floor area
Golf Putting Course	2 per hole, plus 1 per 250 SF floor area
Marina or Boat Sales	2 per 3 slips, accessory uses separate
Mixed Use	Any individual use comprising over 20% of the total gross floor area shall be calculated separately
Office	1 per 250 SF floor area

Pain Management Clinic	1 per 250 SF floor area
<u>Medical Marijuana Dispensary</u>	<u>1 per 250 SF floor area</u>
Personal Services	1 per 250 SF floor area
Recreation, Indoor	1 per 250 SF floor area
Recreation, Outdoor	1 per 3 fixed seats, plus 1 per 25 SF exhibit or portable seating space
Recreational Vehicle Park	1 per RV space
Restaurant, Up to 100 seats	1 per 250 SF floor area
Over 100 seats	1 per 50 SF area for eating, drinking or waiting
Retail Sales and Service	1 per 250 SF gross leasable area, plus 1 per 1,000 SF outdoor sales or display
Self-Service Storage	1 per 250 SF nonstorage floor area
Studio, Dance, Art, Music, Photography	1 per 250 SF floor area
Theater, Movie	1 per 3 seats
Transient Accommodations	1 per sleeping room, plus 1 additional per 10 sleeping rooms
Vehicle Sales and Rental	1 per 250 SF floor area must be marked as customer spaces
Vehicle Service	3 spaces per vehicle bay
INDUSTRIAL USES	
Industrial	1 per 500 SF floor area
Recycling or Storage	1 per 1,500 SF floor area
Research Laboratory without Manufacturing Facility	1 per 250 SF floor area
Warehouse and Freight Movement	1 per 1,000 SF floor area
Waste Related Services	2 per 1,000 SF floor area, 5 spaces minimum
Wholesale Trade	1 per 500 SF floor area
Asphalt and Concrete Processing	1 per employee
Slaughterhouse	1 per employee, plus 1 per 250 SF office
<u>Medical Marijuana Research and/or Processing</u>	<u>1 per 500 SF floor area</u>

c. Parking Requirements for Unlisted Uses. The Zoning Administrator shall apply the standards of these zoning regulations unless an alternative parking plan has

been approved. Where a use is not listed, the Zoning Administrator shall first determine whether the proposed use is similar to a use listed in the table above (and apply that standard). Where a use is not similar to any use listed in the table, the Zoning Administrator shall require the approval of an alternative parking plan based on parking ratio data submitted by the applicant (see Section 7.1.11).

- d. Special Parking Requirements. Special parking requirements for the HPIOD District (Section 4.10.1), the CTOD District (Section 4.10.2), and the MSOD District (Section 4.10.3) modify the ratios of the table above for certain uses.

Section 9. Amendment to Section 10 of Ordinance No. 2003-052, as amended, relating to Definitions.

Subsection 10.2. of Sarasota County Zoning Ordinance No. 2003-052, as amended, is hereby amended, to include the following definitions, as follows:

Cannabis. Any plant or part of a plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin or oil extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, resin, or oil.

Cannabis Farm. Any property used in whole or in part for the growing or cultivation of Cannabis plants.

Debilitating Medical Condition means cancer, glaucoma, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn's disease, Parkinson's disease, multiple sclerosis or other conditions for which a physician believes that the medical use of marijuana would likely outweigh the potential health risks for a patient.

Identification card means a document issued by the Department of Health that identifies a person who has a physician certification or a personal caregiver who is at least twenty-one (21) years old and has agreed to assist with a qualifying patient's medical use of marijuana.

Marijuana has the meaning given cannabis in Section 893.02(3), Florida Statutes (2013).

Medical Marijuana Dispensary. Any property where Cannabis is sold, purchased, delivered or dispensed for Medical Use. This definition shall include any cooperative effort by Personal Caregivers.

Medical Marijuana Research and/or Processing. Any property from which marijuana, cannabis, cannabis-based products, or cannabis plants are researched

and/or processed for conversion into a pill, oil, or other consumable product for Medical Use.

Medical Marijuana Treatment Center means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers and is registered by the Department of Health.

Medical Use. The prescriptive use of any form of Cannabis through a Physician Certification to treat a Debilitating Medical Condition and the symptoms associated with that condition as authorized by State law.

Non-Medical Marijuana Sales. The purchase, sale, transfer or delivery of marijuana, cannabis, cannabis-based products or cannabis plants when such sale, transfer or delivery is not associated with any medical purpose or use, whether or not such purchase, sale, transfer or delivery is lawful under federal or state law.

Personal Caregiver means a person who is at least twenty-one (21) years old who has agreed to assist with a qualifying patient's medical use of marijuana and has a caregiver identification card issued by the Department. A personal caregiver may assist no more than five (5) qualifying patients at one time. An employee of a hospice provider, nursing, or medical facility may serve as a personal caregiver to more than five (5) qualifying patients as permitted by the Department. Personal caregivers are prohibited from consuming marijuana obtained for the personal, medical use by the qualifying patient.

Physician means a physician who is licensed in Florida.

Physician Certification means a written document signed by a physician, stating that in the physician's professional opinion, the patient suffers from a debilitating medical condition, that the potential benefits of the medical use of marijuana would likely outweigh the health risks for the patient, and for how long the physician recommends the medical use of marijuana for the patient. A physician certification may only be provided after the physician has conducted a physical examination of the patient and a full assessment of the patient's medical history.

Qualifying patient means a person who has been diagnosed to have a debilitating medical condition, who has a physician certification and a valid qualifying patient identification card. If the Department does not begin issuing identification cards within nine (9) months after the effective date of this section, then a valid physician certification will serve as a patient identification card in order to allow a person to become a "qualifying patient" until the Department begins issuing identification cards.

Section 10. Effect on Other Ordinances. The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

Section 11. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 12. Coding of Amendments. In this Ordinance, language added to an existing Ordinance is underscored and language deleted is typed in ~~strike through~~ type.

Section 13. Effective Date. This Ordinance shall take effect immediately upon filing with the Office of the Secretary of the State of Florida.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA this 4 day of November 2014.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: 

Chair

ATTEST:
KAREN B. RUSHING, Clerk of
the Circuit Court and
Ex-Officio Clerk of the Board
of County Commissioners of
Sarasota County, Florida

By: 

Deputy Clerk