



City of Gainesville
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DATE: June 27, 2017

TO: Honorable Mayor and the City Commission

VIA: Anthony Lyons, City Manager

FROM: Wendy Thomas, Director Dept. of Doing
 Ralph Hilliard, Planning Manager, Dept. of Doing

SUBJECT: Legislative Matter 160769 – Sexual Offender Treatment Center

On June 1, 2017 the City Commission heard Petition PB-17-13TCH and continued the petition to July 6, 2017. During the Hearing the City Commission asked staff to bring back information regarding crimes of a sexual nature in areas where treatment facilities are located. Department of Doing staff met with Police Department staff to review the City Commission's request, and the Police Department agreed to provide what information they could from their database and to communicate with other cities regarding this issue. Additionally, staff indicated they would bring back a revised definition for "Rehabilitation Center" to update and clarify the uses within the definition, as discussed below. The Police Department power point is attached as Exhibit 1 and the Department of Doing Planning power point is attached as Exhibit 2.

Existing Code

If the City Commission decides to keep the current regulations, staff would recommend that the City Commission make the following modifications to the existing "Rehabilitation Center" definition.

Existing definition:

Rehabilitation center means a facility providing professional care, nonresident only for those requiring therapy, counseling or other rehabilitative services related to drug abuse, alcohol abuse, social disorders, physical disabilities, mental retardation or similar problems.

Modifications needed to clarify existing definition:

Rehabilitation center means a facility providing professional care, nonresident only, **for individuals or groups needing therapy, counseling or other rehabilitative services related to mental or physical disabilities, addictions (drugs, alcohol, food, sex, or similar disorders) , social and behavioral disorders or similar issues**

~~including sexual offender treatment centers for those requiring therapy, counseling or other rehabilitative services related to drug abuse, alcohol abuse, social disorders, physical disabilities, mental retardation or similar problems.~~

Add a definition to clarify what a “sexual offender treatment center” is:

Sexual offender treatment center means a facility that provides any out-patient sexual behavior therapy, counseling or similar rehabilitative services to individuals or groups that are either registered sexual offenders as defined in Section 943.0435, Florida Statutes, or registered sexual predators as defined in Section 775.21, Florida Statutes

Staff’s Alternative Recommendation

This alternative treats Sexual Offender Treatment as a separate distinct use from other types of treatments and counseling. This alternative goes a step further than the existing code by creating a definition for Treatment Center that addresses the other types of treatments and counseling and indicates clearly where that use would be allowed.

Delete:

~~Rehabilitation center means a facility providing professional care, nonresident only, for those requiring therapy, counseling or other rehabilitative services related to drug abuse, alcohol abuse, social disorders, physical disabilities, mental retardation or similar problems.~~

Add:

Treatment Facility means an out-patient facility that provides professional therapy, counseling or other rehabilitative services to individuals or groups for addictions (drugs, alcohol, food, sex, or similar disorders) behavioral disorders, intellectual disabilities and physical disabilities.

Sexual offender treatment center means a facility that provides any out-patient sexual behavior therapy, counseling or similar rehabilitative services to individuals or groups that are either registered sexual offenders as defined in Section 943.0435, Florida Statutes, or registered sexual predators as defined in Section 775.21, Florida Statutes

Modifications to this definition should be made for both alternatives :

~~**Social service home or halfway house** means a facility providing professional care, resident or nonresident, for those requiring therapy, counseling or other rehabilitative services related to drug abuse, alcohol abuse, social disorders, physical disabilities, mental retardation or similar problems. that provides professional residential care for individuals or groups needing therapy, counseling or other rehabilitative services related to mental or physical disabilities, addictions, social disorders or similar issues, not including sexual offender treatment centers~~

Use Districts (Zoning)

	OR	OF	BUS	MU-1	MU-2	CCD	UMU-1	UMU-2	BI	MD
Health Services	P	P	P	P	P	P	P	P	NA	P
Social Services	NA	NA	P	P	P	P	P	P	S	
Social Service Home	S	S	NA	S	S	S	NA	NA	NA	P
Rehabilitation Center	S	S	S	S	S	S	NA	P	p	P
Alternative										
Sexual Offender Treatment Center	NA	NA	S	NA	S	S	NA	NA	S	S
Treatment Center Excluding Sexual Offenders	NA	P	P	P	P	P	P	P	P	P

Table 3
Distance Separation Requirements (in feet)

	Social service home or halfway house, food distribution centers and residence for destitute people	Sexual offender treatment centers	Children related facilities: Day care centers; schools; public park and youth associations	Residential Zoning Districts: RSF1-4, RC, RMF5-8, RH-1 and 2.
Rehabilitation Center	1320	1320		
Social Service Home or Halfway House	1320/2640			
Sexual Offender treatment center	1320	1320	1000	400
Treatment Center Excluding Sexual Offenders	1320	1320		