
MEMORANDUM

TO: ZONING CODE INTERPRETATION FILE
FROM: WAYNE HANSON, DEVELOPMENT DIRECTOR
DATE: APRIL 7, 2006
RE: OFFICES & CLINICS OF HEALTH PRACTITIONERS, NOT ELSEWHERE CLASSIFIED (SIC 8049.00)

BACKGROUND & ISSUES

On September 14, 2005, the Board of Trustees reviewed a preliminary application of a request for special permit approval to allow speech and occupational therapy services in the I-1 Restricted Industrial District.

Speech therapy services and occupational therapy services are allowed in the I-1 District only by special permit (SIC 8049.00 Offices and Clinics of Health Practitioners, Not Elsewhere Classified) while psychotherapy services are allowed as permitted uses in the I-1 District (8000.04 Psychiatrists, Psychologist, & Psychotherapists). In general, most health care services are allowed in the I-1 District by special permit, except for the following permitted uses: a) psychiatrists, psychologist, & psychotherapist; b) medical and dental laboratories; and c) home health care services.

The operator presented the argument to the Development Director that speech therapy and occupational services facilities operate in a very similar fashion to psychiatrist, psychologist and psychotherapist offices in that: a) they both generally provide services in a one-on-one setting with sessions of approximately one hour and b) neither requires medical equipment or laboratory space. The Development Director concluded that the Standard Industrial Classification Manual, which the Zoning Code is based, is very specific in terms of which category speech therapy services and occupational therapy services fall and that the proposed facility would require a special permit.

During the September 14, 2005, preliminary review, the Board of Trustees was asked if it concurred with the Development Director's interpretation thus requiring the Applicant to go through the special permit process.

FINDINGS

The Board of Trustees found that Applicant's proposed development therapy services facility would function similar to a psychotherapy services office; therefore, it should be treated similarly and not require a special permit.

OFFICIAL INTERPRETATION

In the I-1 District, land uses that would generally fall within SIC 8049.00 Offices and Clinics of Health Practitioners, Not Elsewhere Classified but provide treatment sessions of generally one hour or more in which one health care provider meets with no more than two patients/clients at one time shall be treated similarly to land uses that fall within Village SIC 8000.04 Psychiatrists, Psychologist, & Psychotherapists.