

**ORDINANCE NO. 09-434**

**AN ORDINANCE TO AMEND THE MUNICIPAL ZONING ORDINANCE OF CHURCH HILL, TENNESSEE FOR THE PURPOSE OF AMENDING CHAPTER 4, SECTION 11-403 DEFINITIONS, MEDICAL FACILITIES, AND TO ADD DEFINITIONS FOR METHADONE TREATMENT CLINIC OR FACILITY, AND SUBSTANCE ABUSE TREATMENT FACILITY AND TO AMEND CHAPTER 4, SECTION 11-407 PROVISIONS GOVERNING USE DISTRICTS, SECTION J. BY ADDING METHADONE TREATMENT CLINIC OR FACILITY, AND SUBSTANCE ABUSE TREATMENT FACILITY.**

**WHEREAS**, Sections 13-7-201 – 13-7-211 of the Tennessee Code Annotated provides the City of Church Hill, Tennessee with the powers and authority to enact local municipal zoning codes and;

**WHEREAS**, said sections provide a process for the amendment of local municipal zoning codes and;

**WHEREAS**, the Church Hill, Tennessee Board of Mayor and Aldermen feel it to be in the best interest and to the best general welfare of the citizens of Church Hill, Tennessee to amend the local municipal zoning codes;

**NOW THEREFORE BE IT ORDAINED**, by the Board of Mayor and Aldermen of the City of Church Hill, Tennessee that Chapter 4, Section 11-403 Definitions and Chapter 4, Section 11-407, Provisions Governing Use Districts, Section J, M-1, Industrial District be amended as follows;

Amend:

Chapter 4, Section 11-403. DEFINITIONS, 14.

Add:

**A. Dental Clinic: A facility for the examination and treatment of patients for oral health on an out-patient basis.**

**B. Medical Clinic: A licensed facility for examining and treating patients with medical problems on an out-patient basis. A medical clinic is not a methadone treatment clinic or facility or substance abuse treatment facility as per the Church Hill Zoning Ordinance.**

**C. Methadone Treatment Clinic or Facility: A licensed facility for counseling of patients and the distribution of methadone for out-patient, non-residential purposes only. A methadone treatment clinic or facility is not a medical clinic or substance abuse treatment facility as per the Church Hill Zoning Ordinance.**

**D. Substance Abuse Treatment Facility: A licensed facility with purpose of providing out-patient treatment, counseling or similar services to individuals who are dependent on legal and illegal drugs, opiates, alcohol or other similar substances. A substance abuse treatment facility is not a medical clinic or methadone treatment clinic or facility as per the Church Hill Zoning Ordinance.**

Amend:

Chapter 4, Section 11-407. GENERAL PROVISIONS GOVERNING USE DISTRICTS

Section J. M-1 (Industrial District).

Add and renumber:

**(2) Uses Permitted Upon Review**

**Methadone Treatment Clinic or Facility, Substance Abuse Treatment Facilities**

**a. The consideration for approval by the Planning Commission of a methadone treatment clinic or facility and substance abuse treatment facility shall be contingent upon the receipt of the appropriate license and certificate of need by the State of Tennessee.**

**b. Maps showing existing land use and zoning within one-quarter (1/4) mile of the proposed site should be submitted with an application for Use of Review approval along with the license of the applicant, certificate of need, site plan, survey or other information deemed reasonable by the Planning Commission for use in making a thorough evaluation of the proposal.**

**c. The clinic or facility shall be located on and have access to a Principal Arterial street.**

**d. Measurement shall be made in a straight line on the Church Hill Zoning Map from the nearest property line of the lot on which the methadone treatment clinic or facility and substance abuse treatment facility is situated to the nearest property line of the following uses:**

**1) The clinic or facility shall not be located within one thousand (1,000) feet of a school, day care facility, park, church, synagogue, mosque, mortuary or hospital.**

2) The clinic or facility shall not be located within one thousand (1,000) feet of any establishment that sells alcoholic beverages for either on-or-off-premises consumption.

3) The clinic or facility shall not be located within one thousand (1,000) feet of any area devoted to public recreation activity.

4) The clinic or facility shall not be located within one thousand (1,000) feet of any amusement catering to family entertainment.

5) The site shall not be less than one thousand (1,000) feet of any residential dwelling at the time of approval.

6) The site shall not be less than one-half (1/2) mile from any other methadone treatment clinic or facility and substance abuse treatment facility.

**NOW, THEREFORE BE IT FURTHER ORDAINED**, by the Board of Mayor and Aldermen of the City of Church Hill, Tennessee that this ordinance shall be effective from and after its passage, the public welfare requiring it.

Approved by the Planning Commission: March 2, 2009

Passed on First Reading: March 17, 2009

Public Hearing Held On: April 21, 2009

Passed on Second Reading: April 21, 2009

Approved and Signed in Open Meeting: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Recorder

Approved as to Form: \_\_\_\_\_  
City Attorney

FIRST READING	AYES	NAYS	OTHER
DENNIS DEAL, Mayor	X		
B. D. CRADIC	X		
MARK DRINNON	X		
TOM KERN	X		
WILLIAM KILLEN	X		
LINDA MILLER	X		
GREGORY TIPTON	X		
TOTALS	7	0	

PASSED FIRST READING MARCH 17, 2009

PUBLIC HEARING APRIL 21, 2009

SECOND READING	AYES	NAYS	OTHER
DENNIS DEAL, Mayor	X		
B. D. CRADIC	X		
MARK DRINNON	X		
TOM KERN	X		
WILLIAM KILLEN	X		
LINDA MILLER	X		
GREGORY TIPTON	X		
TOTALS	7		

PASSED SECOND READING APRIL 21, 2009

ORDINANCE PUBLISHED ON:

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