

ORDINANCE NO. 617

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CLINTON, TENNESSEE, CHAPTER TWO, SECTION 14-204 DEFINITIONS BY EXPANDING THE DEFINITION OF CLINICS AND ADDING PAIN CLINICS AS A NEW DEFINITION AND SPECIFYING SUCH USES AS CONDITIONAL USES IN THE M-1, LIGHT INDUSTRIAL DISTRICT AND M-2, HEAVY INDUSTRIAL DISTRICT

WHEREAS, The Clinton City Council, in accordance with Section 13-7-204 of the Tennessee Code Annotated, may amend the Zoning Ordinance and the “Zoning Map of Clinton, Tennessee”,

WHEREAS, the Clinton Municipal/Regional Planning Commission reviewed the proposed zoning amendment on *May 9, 2016* and recommended amending the zoning ordinance accordingly; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Clinton, Tennessee that the following sections of the Zoning Ordinance of the City of Clinton, Tennessee are amended:

Section 1. SECTION 14-204, is hereby amended by adding and/or amending the following definitions:

33. Medical Facilities:

b. Dental Clinic or Medical Clinic. A facility for the examination and treatment of ill or afflicted human outpatients, provided, however, that the patients are not kept overnight except under emergency conditions. This definition does not include Methadone Treatment or Pain Management Clinics.

e. Pain Management Clinic. A privately owned facility in which a medical doctor, an osteopathic physician, an advanced practice nurse, and/or a physician assistant provides pain management services to patients, a majority of whom are issued a prescription for, or are dispensed, opioids, benzodiazepine, barbiturates, or carisoprodol, but not including suboxone, for more than ninety (90) days in a twelve (12) month period. A pain clinic does not include:

1. A medical or dental school, a nursing school, a physician assistant program or an outpatient clinic associated with any of the foregoing schools or programs;
 - a. A hospital as defined by Section 68-11-201 *Tennessee Code Annotated*, including outpatient facility or clinic of a hospital;
 - b. Hospice services as defined by Section 68-11-201 *Tennessee Code Annotated*;
 - c. A nursing home as defined by Section 68-11-201 *Tennessee Code Annotated*;
 - d. A hospital or clinic maintained or operated by the federal government.

Section 2. CHAPTER 6. PROVISIONS GOVERNING USE DISTRICTS is hereby amended as follows:

14-608. M-1 Light Industrial District.

14. Uses permitted as Special Exceptions:

- a. Pain Management Clinics in accordance with the following conditions:
 1. Compliance with all applicable requirements of the City of Clinton Municipal Code.
 2. Submittal of the appropriate license and certificate of need by the State of Tennessee.
 3. Map(s) showing existing land use and zoning within one-quarter (1/4) mile of the proposed site with an accompanying site plan.
 4. The clinic or facility shall not be located within five hundred (500) feet of a school, day care facility, park, church or hospital.
 5. 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.
 6. Off-Street Parking provided at one (1) space for each One Hundred (100) square feet of floor space.
 7. The site shall not be less than One Thousand (1,000) feet from any other pain management clinic.

14-609. M-2 Heavy Industrial District.

9. Uses permitted as Special Exceptions:
 - a. Pain Management Clinics in accordance with the M-1 District conditions.

Section 3. This ordinance shall be effective from and after its passage and publication, the public welfare requiring it.

APPROVED:



Scott Burton, Mayor



Regina Ridenour, City Recorder

Passed First Reading: May 23, 2016

Passed Second Reading: June 27, 2016