

ORDINANCE NO. P-20190612(4)

**AN ORDINANCE TO UPDATE SECTIONS OF,
AND CORRECT ERRORS IN THE PREVIOUS ORDINANCE # 433
THAT AMEND THE OFFICIAL ZONING CODE
OF THE TOWN OF CARTHAGE, TENNESSEE:**

WHEREAS, the Official Zoning Code currently in use was adopted by Ordinance No. 261 on July 11, 1995, and amended by Ordinance No. 274 on December 5, 1996, and

WHEREAS, several Ordinances that would amend said Official Zoning Code has been passed and adopted by the Board of Mayor and Aldermen of the Town of Carthage, Tennessee since December 5, 1996, and

WHEREAS, said Official Zoning Code has not been amended by any Ordinances since December 5, 1996, and

WHEREAS, a signed copy of Ordinance # 433, passed and adopted 5/5/2016, is not discoverable, and

WHEREAS, said Ordinance contains “*Section 2,*” titled “*The Carthage Zoning Ordinance is hereby amended to include the following under Section 11-204, Definitions,*” that requires updating to expand the description of facilities that treat **Substance Use Disorders (SUD)** with drugs and limit where those facilities can be located in the Town Of Carthage, Tennessee, and

WHEREAS, said Ordinance also contains “*Section 1*” titled “*Chapter 5, Specific District Regulations, be amended to include Section 11-510, M-2 Medical District,*” that is accepted and should be amended, with certain modifications, to the Official Zoning Code, and

WHEREAS, said Ordinance also contains “*Part 3*” titled “*Effective Date. This ordinance shall take effect and be in full force upon its final passage as required by law,*” that is accepted and should be amended to the Official Zoning Code as written, and

WHEREAS, the grant of power and the process for adoption of a municipal zoning ordinance and map are found in TENN. CODE ANN. §13-7-201 through §13-7-203, and

WHEREAS, the Carthage Municipal Planning Commission reviewed and recommended this Ordinance on **June 12, 2019** to the Town of Carthage for consideration, and

WHEREAS, pursuant to the requirements of TENN. CODE ANN. §13-7-203, the Town of Carthage conducted a public hearing prior to the final reading and adoption of this ordinance to allow for community input into the ordinance amendment(s) herein described;

BE IT ENACTED by the Board of Mayor and Alderman for the Town of Carthage, Tennessee as follows:

- Section 1.** This Ordinance shall henceforth accept and adopt “*Section 1*” of Ordinance # 433, titled “*Chapter 5, Specific District Regulations, be amended to include Section 11-510, M-2 Medical District,*” as written, with the exception of “*Section 1, B, 7*” of Ordinance # 433 whereas, pursuant to the updated Ordinance # **P-20190612(2)-x**, the term “*Methadone clinics*” shall be replaced with the term “**Medication-Assisted Treatment (MAT) facilities,**” and be amended to the Official Zoning Code of the Town of Carthage, Tennessee. A copy of the “text” of Ordinance # 433 will be attached to this Ordinance as Exhibit “A.”
- Section 2.** This Ordinance shall henceforth accept and adopt “*Part 3*” of Ordinance # 433, titled “*Effective Date. This ordinance shall take effect and be in full force upon its final passage as required by law,*” as written and be amended to the Official Zoning Code of the Town of Carthage, Tennessee. A copy of the “text” of Ordinance # 433 will be attached to this Ordinance as Exhibit “A.”
- Section 3.** This Ordinance shall henceforth rescind “*Section 2*” of Ordinance # 433 titled “*The Carthage Zoning Ordinance is hereby amended to include the following under Section 11-204, Definitions,*” and said Section shall be replaced in its entirety by the updated Ordinance # **P-20190612(2)**. A copy of the “text” of Ordinance # 433 will be attached to this Ordinance as Exhibit “A.”
- Section 4.** Under *Chapter 4, Zoning Districts and Map, Section 11-401 Establishment of Districts, of the Official Zoning Code of the Town of Carthage, Tennessee*, the term “*M-2, Medical District*” shall be added to the list of zoning districts.
- Section 5.** Invalidity of a section or part of a section of this Ordinance shall not affect the validity of the remaining sections or parts of sections.
- Section 6.** This Ordinance shall be effective from and after its passage and final reading, as provided by law, the public welfare requiring it.
- Section 7.** Effective Date. This ordinance shall take effect and be in full force upon its final passage as required by law.

Passed 1st Reading 7/11/19

Passed 2nd Reading 8/1/19

PUBLICATION OF NOTICE: 7/18/19

PUBLIC HEARING HELD: 8/1/19
 (At least 15 days after public notice)

 Mayor

 Date

Recorder

Date

Exhibit “A” of Ordinance # P-20190612(4)-x

ORDINANCE NO. 433

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF
CARTHAGE, TENNESSEE: TO ADD THE M-2, MEDICAL ZONE WITHIN
THE ZONING ORDINANCE AND TO UPDATE CERTAIN DEFINITIONS
RELATING TO THIS ZONING DISTRICT**

BE IT ORDAINED by the Board of Mayor and Alderman for the City of Carthage, Tennessee as follows:

Section 1. Chapter 5, Specific District Regulations, be amended to include Section 11-510, M-2 Medical District:

M-2 MEDICAL DISTRICT

A. General Description

It is intended that this district be used to provide for a centralized and compact location for the unified development of medical facilities, nursing homes, and promote the location of complimentary facilities related to the health care of the citizens of the City of Carthage.

Within the M-2 Medical District, as shown on the Official Carthage Zoning Map, the following regulations shall apply:

B. Permitted Uses

In the M-2 Medical District, the following uses and their accessory uses are permitted:

1. Public and private hospitals, clinics and other facilities which provide for the over-night care of patients.
2. Medical and dental offices not equipped for over-night care of patients.
3. Laboratories for medical, dental, optical, pharmaceutical and related purposes.
4. Public and private nursing homes.
5. Assistant living and adult day care facilities.
6. Drug stores/Pharmacies.

7. Methadone Clinics.
8. Churches and similar places of worship.
9. Municipal, county, state and federal uses.
10. Hospice Care Centers.

C. **Uses Prohibited**

1. Outdoor storage of any type, except that in connection with and on the premise of active building and/or land developments.
2. Any other use or structure not specifically permitted or permitted on appeal.

D. **Minimum Lot Area, Width and Yard Requirements**

All buildings or structures, including accessory structures, hereafter constructed in the M-2 District shall be located so as to comply with the following requirements:

1. Minimum lot requirements.....None except as necessary to meet all other requirements.
2. Minimum depth of front yard.....30 ft.
3. Minimum depth of rear yard.....20 ft.
4. Minimum side yard on one side.....10 ft.
5. Minimum side yard for street side corner lots.....30 ft.
6. On lots adjacent to a residential district all buildings or structures shall be located so as to conform to the side and/or rear yard requirements of the adjacent residential district.

E. **Maximum Building Area**

None except as necessary to meet all other requirements.

F. **Screening Requirements**

Where a lot line is shared with an adjacent residential lot, the owner of the commercial lot shall provide semi-opaque screening in conformance with Section 11-601 of this Official Zoning Code along the entire shared lot line or lines so as to provide a pleasant screen between the two different but contiguous land uses.

G. **Parking Requirements**

Uses in the M-2 District shall conform with the provisions of Section 11-301 of this Official Zoning Code.

H. **Access Requirements**

Uses in the M-2 District shall conform with the provisions of Section 11-302 of this Official Zoning Code.

I. **Off-Street Loading and Unloading Space Requirements**

Uses in the M-2 District shall conform with the provisions of Section 11-303 of this Official Zoning Code.

J. **Maximum Building Height**

No structure in the M-2 District shall exceed thirty-five (35) feet or three (3) stories in building height.

K. **Sign Requirements**

All signs or similar advertising structures in the M-2 District shall conform with the provisions of Section 11-605 of this Official Zoning Code.

L. **Site Plan Review Requirements**

Uses in the M-2 District shall conform with the provisions of Section 11-705 of this Official Zoning Code.

Section 2. The Carthage Zoning Ordinance is hereby amended to include the following under **Section 11-204, Definitions:**

Methadone Clinic – Is a clinic which has been established for the dispensing of methadone, a schedule II narcotic analgesic, to those who abuse heroin and other opiates. The focus of these clinics is the elimination or reduction of opiate usage by putting the patient on methadone. These types of clinics are only allowed within the M-2 Medical Zoning District.

Part 3. Effective Date. This ordinance shall take effect and be in full force upon its final passage as required by law.

Passed 1st Reading 3.3.16

Passed 2nd Reading 4.7.16

Passed 3rd Reading 5.5.16

PUBLIC HEARING HELD: 5.5.16

Mayor

Date

Recorder

Date