



PLANNING & ZONING COMMISSION
Proposed Revisions to Zoning Regulations
for consideration September 13, 2022

**Zoning Text Amendment: Methadone or Substance Use Rehabilitation Clinic
(P&Z-COMM-2022-0662)**

[PROPOSED AMENDMENTS ARE SHOWN IN BLUE.]

FIGURE 3.2-A. TABLE OF PRINCIPAL USES

- Include “Methadone or Substance Use Rehabilitation Clinic” as new, standalone special permit use in MX-1, under “Service Use” category.

SECTION 3.3.5 (SERVICE USES):

- New subsection “P” (3.3.5.P) to include “Methadone or Substance Use Rehabilitation Clinic” as new service use.

P. Methadone or Substance Use Rehabilitation Clinic. A Methadone or Substance Use Rehabilitation Clinic is a licensed facility, with 8,250 square feet of gross floor area or less, that provides treatment for substance use disorders, which treatment may include one or more of the following: Medication Assisted Treatment; behavioral or mental health services; and wellness and community services. The term “licensed facility” shall mean a legal entity formed for the treatment of out-patients in which at least two medical professionals, licensed by the State, practice cooperatively. If the Methadone or Substance Use Rehabilitation Clinic provides Medication Assisted Treatment, it shall also be registered as an accredited opioid treatment program with the Substance Abuse and Mental Health Service Administration. Such a clinic shall not provide inpatient or residential care. Note that this use is distinct from Medical Clinics per Section 3.3.5.A.(1) and Medical Offices per Section 3.3.7.A.(1).

When noted as subject to conditions (“●”) or requires a special permit (“○”) in Figure 3.2 -A Table of Principal Uses, the following regulations apply:

- (1) **Minimum Lot Area.** There shall be a minimum lot area of 0.5 acres for Methadone or Substance Use Rehabilitation Clinics.
- (2) **Building Type.** Methadone or Substance Use Rehabilitation Clinics may only locate in single-occupant, General Building Types. This shall mean that a Methadone or Substance Use Rehabilitation Clinic may fully occupy 100% of a General Building Type’s ground floor and upper floors, as long as the maximum gross square footage (8,250 gsf) is not exceeded.
- (3) **Principal Entrance.** The principal entrance shall be located at the building’s rear façade. Indoor queuing is preferred, but if outdoor queuing is proposed, the applicant shall be required to demonstrate that outdoor queuing will be safe and orderly, and that it will not

be a nuisance to neighboring properties. At least one additional secondary entrance shall be required along the building's street-facing facade, but such secondary entrance shall not be used for client entry/exit, except in emergencies. The principal and secondary entrances may be Storefront, Stoop, or Arcade entrance types per Section 4.19.

- (4) **Security Plan.** Applicants are required to submit a security plan for review by the zoning administrator. Refer to Section 1.3.3.B.(16)(d). Additional documentation may be requested of the applicant per Section 1.3.4.B.
- (5) **Proximity to Other Methadone or Substance Use Rehabilitation Clinics.** No Methadone or Substance Use Rehabilitation Clinic shall be located within a 1,500-foot radius in any direction of any parcel where a Methadone or Substance Use Rehabilitation Clinic is located.
- (6) **Proximity to Certain Uses.** No new Methadone or Substance Use Rehabilitation Clinic shall be located within a 500-foot radius of any part of an existing school or park. For purposes of this section, a park does not include open greenspace that is not located in the OS zoning district.

SECTION 1.3.6. VARIANCE

Section 1.3.6.E.(5) The zoning board of appeals may not issue a variance for any of the following new or expanded principal uses (or for any such use as an accessory use) or conditions:

- (c) Methadone or ~~drug rehabilitation clinic~~ Substance Use Rehabilitation Clinic in any DT, MS, ~~MXMX-2~~, NX, or N district.

SECTION 3.3.5 - SERVICE USES

Section 3.3.5.A. Neighborhood Service. A service use with a gross floor area of less than 8,000 square feet. Neighborhood service includes such uses as those listed in Figure 3.3-C Typical Service Uses.

- (1) **Medical Clinic.** Medical clinic means a licensed institution providing same-day, walk-in, or urgent medical care and health services to the community, primarily ill or injured out-patients, which is not a hospital per Section 3.3.2.B and which is not a medical office per Section 3.3.7.A.(1), and which ~~shall not include methadone or drug rehabilitation clinics~~ is not a Methadone or Substance Use Rehabilitation Clinic per Section 3.3.5.P. Provision of an indoor waiting area for use by individuals when a portion of the facility is not opened for operation is required, so that clients will not be required or allowed to queue for services outdoors. The term licensed institution as used in this section shall mean a single legal entity formed for the diagnosis and treatment of out-patients in which at least 2 medical professionals, licensed by the State and having related specialties, practice cooperatively. The term medical professionals shall only mean medical doctors, dentists, clinical psychologists, osteopaths, podiatrists, chiropractors, acupuncturists, nurses or nurse practitioners, or physiotherapists so licensed by the State. A medical clinic shall not provide rental services, storage of hazardous materials in large quantities, or dormitory facilities.

SECTION 3.3.7 - EMPLOYMENT USES

A. **Office Uses.** A category of uses for businesses that involve the transaction of affairs and/or the training of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Figure 3.3-D Typical Office Uses.

- 1) **Medical Office.** Medical office means a facility in which medical professional(s) licensed by the State have their offices and provide medical care and health services primarily on a pre-scheduled basis (not primarily on a same-day or urgent care basis), which is not a hospital per Section 3.3.2.B and which is not a medical clinic per Section 3.3.5.A.(1), and which ~~shall not include methadone or drug rehabilitation clinics~~ is not a Methadone or Substance Use Rehabilitation Clinic per Section 3.3.5.P. The term medical professionals shall only mean medical doctors, dentists, clinical psychologists, osteopaths, podiatrists, chiropractors, acupuncturists, nurses or nurse practitioners, or physiotherapists so licensed by the State. A medical office may also contain in-house ancillary services such as in-house diagnostic testing facilities, medical counseling services, in-house research, and similar services. A medical office shall not provide rental services, storage of hazardous materials in large quantities, or dormitory facilities.

SECTION 4.8 GENERAL BUILDING TYPE REGULATIONS

Section 4.8.2.B. Height. Under the MX-1 column, in the “Ground Story Maximum Height” row, add “Note 3.a.”.

Note 3.a. For any Methadone or Substance Use Rehabilitation Clinic (refer to Section 3.3.5.P), if ground floor is 18 feet or more in height along the primary street facade, the ground story shall count as 2 stories towards maximum building height.

Section 4.8.2.C Uses. In the Ground Story and Upper Story rows, add a “Note 5”.

Note 5. Per Section 3.3.5.P, a Methadone or Substance Use Rehabilitation Clinic may occupy 100% of the building’s ground floor or upper floors.

SECTION 7. PARKING

Figure 7.2-A Maximum Off-Street Automobile Parking

- Automobile Fueling & Limited Service, Automobile Service/Car Wash, Drinking Places, Entertainment Assembly, & Smoking Places, and Methadone or Substance Use Rehabilitation Clinic: In accordance with special permit review or, if special permit not required, in accordance with site plan review.

Figure 7.2-B Bicycle Parking (*NO CHANGES PROPOSED*)

- Retail & Service Uses
 - Minimum long-term: No minimum requirement
 - Minimum short-term: 1 per every 3,000 square feet.