

**THE CITY OF CENTERVILLE
ANOKA COUNTY, MINNESOTA**

**ORDINANCE NO. 131
SECOND SERIES**

AN ORDINANCE TO REVISE CHAPTER 156 ZONING CODE

The City Council of the City of Centerville hereby ordains:

Section 1. Purpose, Intent and Findings

The purpose of this Section is to set forth the land use and licensing requirements for clinics that provide treatment for addictive drugs or alcohol in order to protect the general health, safety and welfare.

- a. Findings and Provisions. It is the purpose of this Ordinance to regulate clinics that provide treatment for addictive drugs and alcohol in order to promote the health, safety, morals, and general welfare of the citizens of the City and to establish reasonable and uniform regulations.
- b. Clinics or other facilities providing treatment for addictive chemicals and alcohol, in particular, those clinics treating opioid or related addictions under Minn. Stat. Sec. 245A.192, play an essential role in providing treatment and support for individuals with opioid addiction, aiming to reduce the harm associated with substance abuse, and improve overall community well-being. The presence and operation of these clinics can also have negative impacts. These negative impacts include.
 - i. Crime and Public Safety: Potential for increased crime rates, loitering, or illicit drug activities in the vicinity of these clinics.
 - ii. Drug-related Crimes: The illegal drug trade and related activities, such as drug dealing or the presence of individuals seeking to buy or sell drugs, have occurred in the vicinity of these clinics.
 - iii. Prescription Fraud: These clinics dispense medication to their patients, and prescription fraud can occur when individuals attempt to obtain drugs like methadone illicitly or forge prescriptions for medications. This can lead to crimes such as identity theft, prescription forgery, or illegal distribution of methadone or related prescription drugs.
 - iv. Property Crimes: Instances of property crimes such as theft, burglary, or robbery have occurred in the vicinity of these clinics. Some individuals struggling with addiction may resort to these activities to fund their substance use or due to financial difficulties associated with their condition.

- v. Traffic and Parking: Increased traffic and parking congestion caused by the influx of patients attending the clinic.
 - vi. Property Values: The presence of these clinics can have a negative impact on property values.
 - vii. Environmental Impact: Improper disposal of medication or waste related to the operation of a clinic may raise environmental concerns, particularly if it poses a risk to local water sources or wildlife.
 - viii. Community Integration: These clinics often face opposition from community members who resist the integration of such facilities in their neighborhoods. This resistance can stem from various factors as stated above and also fears of the unknown, concerns about the clinic's impact on the community's character, or biases against individuals with substance use disorders.
- c. Based upon these findings, the Council believes that effective regulation, security measures, and collaboration with local law enforcement can help address and prevent potential problems stemming from the operation of these clinics. The following regulations are necessary to address these needs of the community.

Section 2. **That Section 156.006 Definitions shall be amended, as follows:**

CLINIC, MEDICAL. Any establishment where human patients are examined and treated by doctors or dentists but not hospitalized overnight.

CLINIC, SUBSTANCE ABUSE TREATMENT. *Any establishment treating opioid or related addictions as regulated pursuant to Minn. Stat. Sec. 245A.192 or revisions to this statute.*

Section 3. **That Section 156.031 Main Street Commercial District (B-2) shall be amended, as follows:**

(D) Conditional uses.

(8) Clinics, Substance Abuse Treatment

(a) Treatment must be performed while a licensed medical provider is onsite.


(b) Such clinics must be 500 feet away from a daycare or educational institution, as measured from property boundaries.

- (c) A security and traffic control plan must be submitted to the city for approval.
- (d) This use shall be governed by an Interim Use Permit for a period no longer than two years for the purpose of measuring compliance with State, Federal, and City-related standards.
- (e) A community relations plan, establishing a community liaison to share information with, must be submitted to the city for approval.
- (f) Voluntary and involuntary program closure procedures must be submitted to the city for approval.
- (g) Loitering in front of the building is prohibited.

Section 4. **Table 156-A.1.** Table 1560A.1, attached as Exhibit A, shall be revised to reflect the changes in Sections 2 and 3.

Section 5. **Effective Date.** This ordinance takes effect upon its adoption and publication.

ADOPTED after a first reading on the 11th day of October 2023, and thereafter by a [unanimous] vote of the City Council of the City of Centerville, Minnesota, this 25th day of October 2023.


D. Love, Mayor

ATTEST:


Teresa Bender, City Clerk

10/30/2023
Dated

TABLE 156-A.1 District Allowed Uses
Revised Ord. 1##, Version 10/20/2023

Use Category and Use Type	R-1 156.016	R-2 156.018	R-2A 156.017	R-3 156.021	R-4 156.016	R-5 156.020	B-1 156.030	B-2 156.031	I-1 156.040	M-1 156.051	M-2 156.052	P-1 156.050	Additional Reference - #1
Agricultural Uses													
Crop production and vegetable gardening	P												
Produce stands for products raised on the premises	P												
Tree nurseries and sod farms	P												
Horses, livestock and fowl, not exceeding a density of one horse or livestock animal per acre or three fowl per acre	P												
Group Living Uses													
Nursing homes							C						
Residential-Care for six or Fewer Persons (Except Juvenile Sex Offender Treatment)	P	P	P	P	P	P				PUD	PUD		
Residential-Care for Juvenile Sex Offender Treatment for six or fewer persons.(Subject to conditions as are necessary to protect the health and safety of the residents of the residential facility per 156.021(C)(3).)				C									156.021(C3)
Residential-Care for seven through sixteen Persons (Except Care for Juvenile Sex Offender Treatment)				C									
Family Day Care serving twelve or fewer persons	P	P	P	P	P	P				PUD	PUD		
Group Family Day Care serving 14 or fewer persons	P	P	P	P	P	P				PUD	PUD		
Licensed day care serving thirteen through sixteen persons				C									
Licensed day care serving seventeen or more persons							C			PUD	PUD		
Specialized Care Facility							C			PUD	PUD		
Household Living Uses													
Single-family detached dwellings at a density not exceeding one home per ten acres	P												
Single-family detached dwellings		P	P		P	P							
Single-family attached dwellings with up to two dwelling units per building		P											
Single-family attached dwellings with up to twelve dwelling units per acre			C										
Single-family attached or detached dwellings where in combination with multi-family dwellings on the development property meet the district density goal				PUD									
Manufactured housing development, park, or cooperative					PUD								156.019
Multi-family projects				PUD						PUD	PUD		
Public parks and recreation uses		P	P	P	P	P				P	P	P	
Residential accessory uses as further regulated in this chapter	P	P	P	P	P	P							156.107
Home Occupations	P	P	P	P	P	P							156.102
Commercial Uses													
Accessory Buildings							P	P	P	C	C		156.040 (H), 156.107
Accessory storage within the principal building	P	P	P	P	P	P	P	P	P	P	P	P	156.107
Adult and Sexually oriented businesses as further regulated in this code									C				110.01-110.99

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Veterinary Clinic							C		C				90.01-90.09
Pet Shop							C	C	C				90.01-90.09
Kennel									C				90.01-90.09
Automobile and motorized equipment sales, excluding salvage operations (Outdoors)							C		C				
Automobile and motorized equipment sales, excluding salvage operations (Indoors)							P	P					
Automobile and motorized equipment service, excluding salvage operations as accessory to a gas station							C	C					
Automobile and motorized equipment service, excluding salvage operations							C	C					
Barber/beauty salons							P	P		PUD	PUD		
Building Supply Sales and Storage Yards							C		C				
Building Supply Sales and Storage Yards (Within Building Only)								C					
Business and Professional Offices							P	P	P	PUD	PUD		
Car washes							C		P				
Car wash, as Accessory to Retail Fuel Sales							C	C					
Clinic, Medical Medical Clinic							P	P		PUD	PUD		
Clinic, Substance Abuse Treatment								P					
Commercial schools/Cultural Centers							C	C				P	
Commercial recreation							C	C	C	PUD	PUD		
Construction trade offices and yards									P				
Crematorium													
Day care - see Group Living Uses		C	C	C	C	C				C	C		
Day care facility							P	P		PUD	PUD		
Eating and drinking establishments							P	P					
Farm/Lawn Implement sales and service							C						
Farm/Lawn Implement sales and service (Within Building Only)							P	P					
Financial institutions							P	P		PUD	PUD		
Funeral homes and mortuaries (excluding Crematoriums)							C	C					
Hospitals							C	C				P	
Hotels							P	P		PUD			
Liquor stores							P	P		PUD	PUD		
Machine and repair shops-inside building only							C		P				
Non-Retail (Bulk) Fuel Sales									C				
Personal and professional business offices							P	P	P	PUD	PUD		
Public buildings	C	C	C	C	C	C	P	P	P	PUD	PUD	P	
Public utility buildings and structures	C	C	C	C	C	C	P		P			P	
Retail Fuel Sales							P	P					
Theatres and recreational businesses conducted within structures							P	P		PUD			
Retail sales and service, excluding adult- oriented businesses							P	P		PUD	PUD		

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Outdoor retail sales and service, excluding adult-oriented businesses							C	C	C				
Industrial Uses													
Indoor Shooting/Archery Range									P				
Machine and repair shops (Indoors)							C		P				
Manufacturing, processing, assembly except recycling and waste									C				
Mini-Storage							C		C				
Research Facility, excluding animal or livestock									P				
Industrial Uses													
Recycling and Waste Processing entirely within the principle structure									C				
Truck Terminal									C				
Warehouse/Distribution									P				
CODES													
Interim Use	I												***1 These references are for guidance only and are not intended to include all applicable sections of the code.
Permitted Use	P												
Conditional Use	C												
Planned Unit Development	PUD												
Reference:													
Procedures for Site Plan Review	X	X	X	X	X	X	X	X	X	X	X	X	156.108
Procedures for Conditional Use Permits	X	X	X	X	X	X	X	X	X	X	X	X	156.320
Procedures for Planned Unit Developments	X	X	X	X	X	X	X	X	X	X	X	X	156.200
Procedures for Variances	X	X	X	X	X	X	X	X	X	X	X	X	156.310
Landscape and Tree Planting Requirements	X	X	X	X	X	X	X	X	X	X	X	X	156.167, 156.168
Fences	X	X	X	X	X	X	X	X	X	X	X	X	
Building Height Limits	X	X	X	X	X	X	X	X	X	X	X	X	156.121
Yards	X	X	X	X	X	X	X	X	X	X	X	X	156.122
Setbacks	X	X	X	X	X	X	X	X	X	X	X	X	Appendix A, Table 1
Parking Requirements	X	X	X	X	X	X	X	X	X	X	X	X	156.166
Other Standards	X	X	X	X	X	X	X	X	X	X	X	X	156.144
Outside Storage	X	X	X	X	X	X	X	X	X	X	X	X	156.144, (M)
Shoreland Requirements	X	X	X	X	X	X	X	X		X	X	X	156.133