

Places of Religious Assembly

Key Issues in Single Family Neighborhoods

Number of meals
Number of residents
Indoor areas
Hours of operation
On-site Staff
Dangerous person
Legal Issues
Lot sizes

Land Development Regulations Single Family Neighborhoods (RSF-1, RSF-2, RSF-3 and RSF-4)

Allowed by Special Use Permit in accordance with article VI.

Article VI requirements. Sec. 30-91. Places of religious assembly.

(a) Within the RSF-1, RSF-2, RSF-3 and RSF-4 districts, places of religious assembly are allowed upon the granting of a special use permit, subject to the following additional dimensional requirements:

(1) Minimum lot area shall be one (1) acre for each place of religious assembly with a building code capacity of one hundred (100) persons or less plus an additional one-half (1/2) acre for each additional fifty (50) persons of building code capacity.

(2) Minimum yard setbacks:

a. Front: 25 feet.

b. Side, interior: 50 feet. Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet or 45-degree angle of light obstruction, whichever is greater.

c. Side, street: 25 feet.

d. Rear: 50 feet. Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet or 45-degree angle of light obstruction, whichever is greater.

Accessory uses allowed (Day care centers, private schools, food distribution and residences for the destitute)

(b) *Day care centers and schools.* Within the RSF-1, RSF-2, RSF-3, and RSF-4, day care centers and schools may be allowed as accessory uses to places of religious assembly upon the granting of a special use permit within all other districts, day care centers and schools are permitted accessory uses to any lawful place of religious assembly provided, in all cases, that the requirements and limitations of sections 30-82 and 30-103, respectively, are met.

(c) *Food distribution centers for the needy.* The city manager or designee may issue a permit for a food distribution center for the needy within any zoning district where places of religious assembly are permitted by right or by special use permit with the following restrictions:

(1) No more than 20 meals may be served in a 24-hour period.

(2) The place of religious assembly can physically provide an indoor eating area meeting all state, county and city codes for the proposed use.

(3) No food distribution center for the needy may be closer than 1,320 feet from any other place of religious assembly having a food distribution center for the needy, nor shall any place of religious assembly have an accessory food distribution center for the needy located in the area described in Appendix D located at the end of this chapter, and as shown on the map maintained in the department of community development.

(4) Each place of religious assembly shall file with the city manager a management program addressing hours of operation, personnel, management of solid waste, litter and lighting. The name, address, and phone number of the person responsible for the facility shall be kept up to date.

(5) Signage. Food distribution centers for the needy shall be limited to two wall-mounted, non-illuminated signs displaying the name of the facility, hours of operation and other functional information and directions. No more than one sign shall be displayed on any building face. No sign shall exceed 18 square feet, nor shall the total combined area for two signs exceed 30 square feet.

(d) *Residences for destitute people.* The city manager or designee may issue a permit for a residence for destitute people within any zoning district where places of religious assembly are permitted by right or by special use permit with the following restrictions:

(1) The total number of beds that may be provided in a residence for destitute people that is accessory to a place of religious assembly is 20.

(2) Meals may be provided only to residents.

(3) No one over the age of 18 may be admitted as a resident without submitting a written report issued by the city police department stating that the person has no outstanding warrants for his or her arrest and is not a "dangerous" person, as defined in section 30-23 of this Code.

(4) Each place of religious assembly shall file with the city manager a management program addressing hours of operation, personnel, management of solid waste, litter and lighting. The name, address, and phone number of the person responsible for the facility shall be kept up to date.

(5) Each place of religious assembly must provide an indoor area meeting all state, county and city codes for use as a residence for destitute people. The area must be inspected and approved by the building official prior to being used as a residence for destitute people, either on a temporary or recurring basis.

(6) There must be at least one staff person or volunteer on site, and a director or administrator on-call, when anyone is sheltered overnight in a residence for destitute people.

(e) *Residences for destitute people and food distribution center for the needy requiring a special use permit.* Places of religious assembly with a food distribution center for the needy or a residence for destitute people as an accessory use that does not conform to (c) and (d) above, shall comply with section 30-110 and 30-111, as applicable.

Multi-family, Office, Mixed-Use, and Commercial Areas

1. Allowed as a use by right, size limits do not apply.
2. Accessory uses: Residences for destitute people and food distribution center for the needy, allowed in accordance with Section 30-91. **Except the uses may be allowed by Special Use permit if allowed by the zoning district in which the use is located in accordance with Section 30-110 and 30-111.**

Sec. 30-82. Day care centers.

- (a) *Dimensional requirements.* All principal and accessory structures for day care centers shall be located and constructed in accordance with the following requirements. Minimum yard setbacks are as follows:
 - (1) Front: Twenty-five (25) feet.
 - (2) Rear: Twenty (20) feet.
 - (3) Side:
 - a. Interior: Ten (10) feet.
 - b. Street: Fifteen (15) feet.
- (b) *Fencing.* There shall be a fence or wall six (6) feet in height surrounding all play areas. Such fence or wall shall be continuous, with latching gates at exit and entrance points. The fence or wall may be of masonry construction, chain link, wrought iron, or wood.
- (c) *Minimum outdoor play area.* Requirements of the state and the county for minimum outdoor play area shall be met. Such play area shall be provided on the same lot as the principal building, or on an adjacent lot, and shall not be located in the front yard of the principal building.
- (d) *Minimum indoor play area.* Indoor play area shall be provided within the principal structure and shall have direct access to the outdoor play area. Requirements of the state and the county for minimum indoor play area shall be met.
- (e) *Loading area.* There shall be provided a turnaround driveway or other vehicular area for the safe loading/unloading of passengers. The walking distance from the loading/unloading area to the main building entrance shall be minimized, and a paved pedestrian path that is at least five feet wide and includes marked crosswalks shall be provided between the loading/unloading area and the main entrance.
- (f) *Development plan approval.* Before a building permit is issued for any day care center, or to convert an existing use to a day care center, development plan approval shall be required in accordance with Article VII.

Sec. 30-103. Private schools.

Dimensional requirements for private schools shall be as follows:

- (1) Minimum lot area: Shall be the minimum lot area required for the specific zoning district where allowed plus one (1) acre for every one hundred (100) persons (or fraction thereof), based on building code capacity.
- (2) Minimum yard setbacks:
 - a. Front: 25 feet.

- b. Side, interior: 50 feet. Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet or 45-degree angle of light obstruction, whichever is greater.
- c. Side, street: 25 feet.
- d. Rear: 50 feet. Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet or 45-degree angle of light obstruction, whichever is greater.

Sec. 30-110. Residences for destitute people.

Except as provided as an accessory use to places of religious assembly, residences for destitute people shall be regulated as follows:

- (a) *Spacing and location.* Residences for destitute people shall not be located closer than one thousand three hundred twenty (1,320) feet from any social service home, halfway house or rehabilitation center and shall not be closer than two thousand (2,000) feet from any other residence for destitute people, food distribution center for the needy or combination thereof. All measurements shall be measured from the nearest property line of the above-listed facilities to the nearest property line of the proposed facility.
- (b) *Saturation.* No more than two (2) food distribution centers for the needy or residences for destitute people may be located within a two-mile radius of the proposed facility.
- (c) *Renewal of special use permit.* The owner of real property holding a special use permit for the operation of a residence for the destitute shall renew such permit in a hearing before the plan board at a regularly scheduled hearing not more than seven (7) years from the date of issue. The plan board at such renewal hearing shall ascertain that the facility has been operating in substantial compliance with the above conditions.
- (d) *Number of beds.* The total number of beds that may be provided in any residence for destitute people in a twenty-four-hour period is 35.
- (e) *Development plan approval.* Development plan approval, in accordance with the requirements of Article VII, is required prior to issuance of a building permit for all residences for destitute people.
- (f) *Police department report.* Prior to the admission of any person in a residence for destitute people, such person must submit a written report issued by the police department stating that such person has no outstanding warrant for his/her arrest.
- (g) *Dangerous persons.* No person meeting the definition for a dangerous person shall be housed in any residence for destitute people.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3839, § 4, 3-1-93; Ord. No. 041192, § (d), 8-8-05)

Sec. 30-111. Food distribution centers for the needy.

Except as provided as an accessory use to places of religious assembly, food distribution centers for the needy shall be regulated as follows:

- (1) *Limit on number of meals served.* The total number of meals served in any 24-hour period shall not exceed 130. Such number shall not include meals served to persons admitted to a residence for destitute persons when located in conjunction with a food distribution center for the needy.
- (2) *Distance requirements.* The distance between any food distribution center for the needy and any other food distribution center for the needy or residence for destitute people, or facility combining both uses, shall be 2,000 feet. The distance between any food distribution center for the needy and any social service home, halfway house or rehabilitation center shall be 1,320 feet. All distance measurements shall be from the nearest property line of any existing facility to the nearest property line of the proposed facility. However, there shall be no food distribution center for the needy located in the area described in Appendix D located at the end of this chapter, and as shown on the map maintained in the department of community development.
- (3) *Saturation.* No more than two food distribution centers for the needy or residences for destitute people may be located within a two-mile radius.
- (4) *Signage.* Food distribution centers for the needy shall be limited to two wall-mounted, nonilluminated signs displaying the name of the facility, hours of operation and other functional information and directions. No more than one sign shall be displayed on any building face, nor shall the combined sign area for two signs exceed 30 square feet.
- (5) *Bufferstrip.* A food distribution center for the needy shall provide a buffer equal to that of a commercial use, in accordance with Article VIII of this chapter, when adjacent to any property designated for residential use on the Future Land Use Map.
- (6) *Management program.* Any applicant for a special use permit shall file with the city manager a management program addressing hours of operation, personnel, management of solid waste and litter, and lighting. The name, address and telephone number of the person responsible for the facility shall be kept up to date.
- (7) *Renewal of special use permit.* The owner of real property holding a special use permit for the operation of a food distribution center for the needy shall renew such permit in a hearing before the plan board at a regularly scheduled hearing not more than five years from the date of issue. The plan board at such renewal hearing shall ascertain that the facility has been operating in substantial compliance with the above conditions.
- (8) *Combined facility.* A special use permit may be issued for a facility functioning as both a food distribution center for the needy and a residence for destitute people. All requirements for both facilities shall be met.

Special Use Permit Criteria

Section 30-233

Section 30-233. Criteria for issuance.

No special use permit shall be approved by the city plan board unless the following findings are made concerning the proposed special use:

- (1) That the use or development complies with all required regulations and standards of this chapter and all other applicable regulations.
- (2) That the proposed use or development will have general compatibility and harmony with the uses and structures on adjacent and nearby properties.
- (3) That necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development.
- (4) That the use or development is serviced by streets of adequate capacity to accommodate the traffic impacts of the proposed uses.
- (5) That screening and buffers are proposed of such type, dimension and character to improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.
- (6) That the use or development conforms with the general plans of the city as embodied in the city comprehensive plan.
- (7) That the proposed use or development meets the level of service standards adopted in the comprehensive plan and conforms with the concurrency management requirements of this chapter as specified in article III, division 2.

Places of Religious Assembly
Florida Cities

Sarasota Florida

Allowed by major conditional use permit in Single Family districts.

Minimum zoning lot size in RSF and RMF zone district shall be two acres.

Food Distribution and Sheltering not allowed as an accessory use, accessory defined to include Sunday school facilities, parking, caretaker's housing and group living facilities such as convents.

Daytona Beach

Allowed by Special Use in single family districts.

Minimum lot size 2 acres.

35 foot setback from all sides and rear lot lines.

Homeless shelters and food banks are not customarily related uses.

There is an exemption for Churches existing on or before August 17, 1967.

Ocala

Allowed by Special Exception in single family districts.

Minimum lot size 3- 5 acres depending on the zoning.

There is an exemption for some parcels based on the adoption of a particular ordinance, and those parcels must have at least 10,000 square feet.

Homeless sheltering does not appear to be allowed.

Tallahassee

Allowed by right

Minimum lot size range from 12,000 square feet to 1 acre depending on the zoning district.

Homeless sheltering does not appear to be allowed.

Lakeland

Allowed by conditional use permit in single family districts.

Minimum lot size total seating capacity in sanctuary over 150: 40,000 square feet.

Homeless sheltering does not appear to be allowed.

Alachua County

Allowed as a limited use special exception in Single Family areas.

Minimum lot size in the Urban Cluster – 1 acre and 3 acres outside of the urban cluster

Homeless Shelter allowed as an accessory use maximum 15 clients, meals to clients

only(no limit) maximum size of homeless shelter shall be the lesser of 2500 square feet

or 25% of the gross floor are of the principal structure.

Soup kitchen allowed as an accessory use, maximum 25 clients, except in emergency

periods such as extended cold weather or natural disaster. Hours of operation 7:00 a.m.

and 8:00 p.m.

Pensacola

Allowed as a use by right.

Minimum lot size range from 9000 square feet to 20,000 square feet depending on the zoning district, with the condition that the maximum lot coverage shall not exceed 30% of the site for all principal and accessory structures.

Homeless sheltering does not appear to be allowed.

Tampa

Allowed by special use permits.

Minimum lot size 20,000 square feet

Emergency shelters are not included as “related religious activities”.

Jacksonville

Allowed by right -- minimum lot shall not be less than four acres.

Allowed by special use permit in certain districts – minimum lot shall not be less than two acres.

Homeless sheltering does not appear to be allowed.

**Gainesville Police Department Reports
Thief, Trespass Compliant and Criminal Mischief**

Westminster Presbyterian (1)

1st United Methodist (12)

First Presbyterian (6)

First Baptist (13)

United Church of Gainesville (5)

Unitarian Universalist Fellowship (3)

Trinity United Methodists (3)

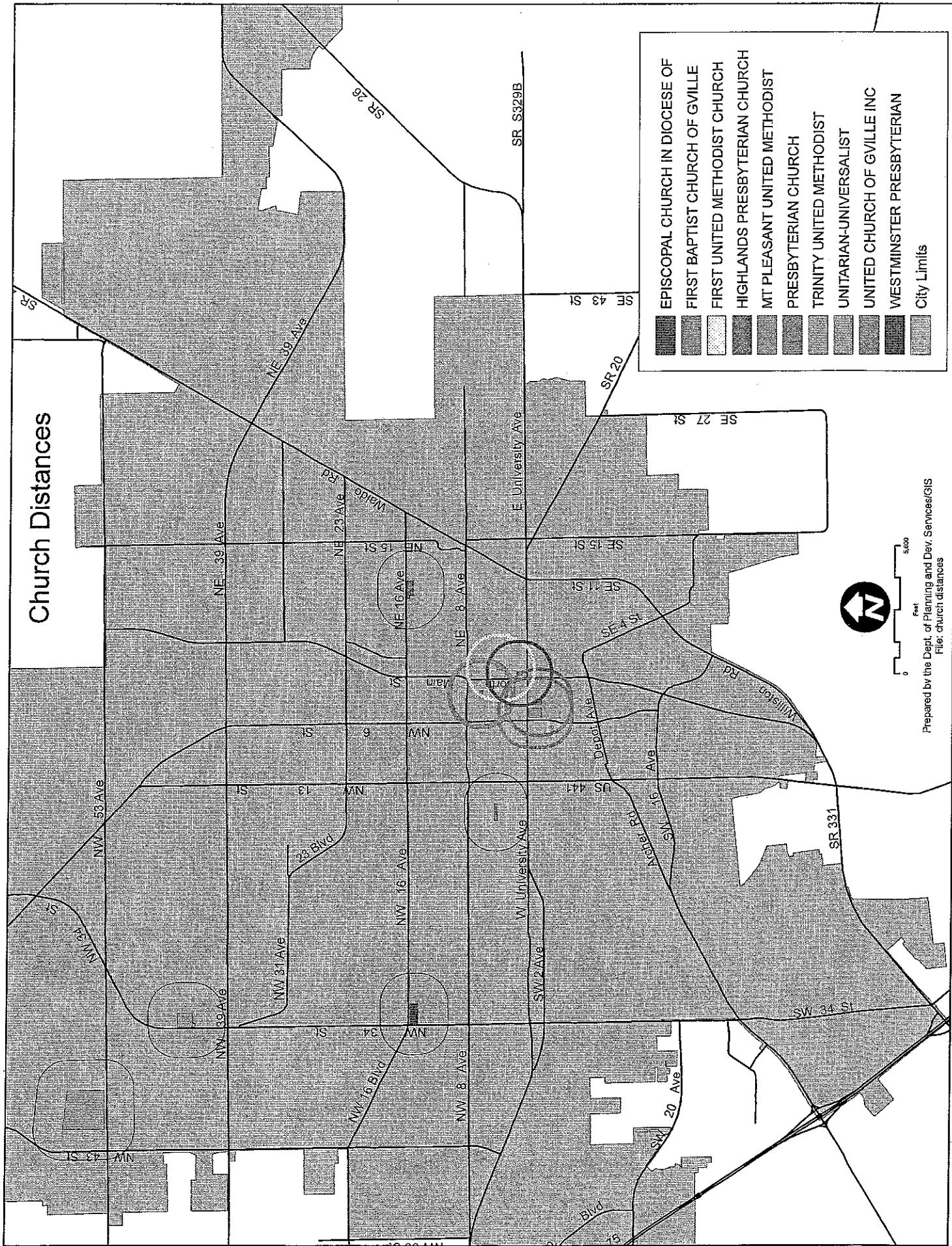
Holy Trinity Episcopal (7)

Code enforcement complaints received from adjacent neighbors

Fire of God

Dome House

Church Distances



Prepared by the Dept. of Planning and Dev. Services/GIS
File: church distances