

1 ~~(2) Maximum building height shall be determined by the maximum building~~
 2 ~~height of the applicable zoning district. However, where an interior side yard or a rear~~
 3 ~~yard abuts property which is in a residential district or which is shown for residential use~~
 4 ~~on the land use element of the comprehensive plan, no new building shall exceed an angle~~
 5 ~~of light obstruction of 45 degrees for such side or rear yard.~~

6
 7 (1) Minimum lot area: Shall be the minimum lot area required for the specific zoning
 8 district where allowed plus one (1) acre for every one hundred (100) persons (or fraction
 9 thereof), based on building code capacity.

10
 11 (2) Minimum yard setbacks:

12
 13 a. Front: 25 feet.

14
 15 b. Side, interior: 50 feet. Except where the side yard abuts property which is in a
 16 residential district or which is shown for residential use on the future land use
 17 map of the comprehensive plan: 50 feet or 45-degree angle of light obstruction,
 18 whichever is greater.

19
 20 c. Side, street: 25 feet.

21
 22 d. Rear: 50 feet. Except where the rear yard abuts property which is in a
 23 residential district or which is shown for residential use on the future land use
 24 map of the comprehensive plan: 50 feet or 45-degree angle of light obstruction,
 25 whichever is greater.

26
 27 (b) *Day care centers and schools.* Within the RSF-1, RSF-2, RSF-3, and RSF-4 and RC
 28 districts, day care centers and schools may be allowed as accessory uses to places of religious
 29 assembly upon the granting of a special use permit by the city plan board; in RMF 5, RMF 6,
 30 RMF 7, RMF 8, RH 1 and RH 2 districts, day care centers are permitted accessory uses to any
 31 lawful place of religious assembly use and schools may be allowed as accessory uses upon the
 32 granting of a special use permit; within all other districts, day care centers and schools are
 33 permitted accessory uses to any lawful place of religious assembly use provided, in all cases, that
 34 the requirements and limitations of sections 30-82 and 30-103, respectively, are met. Where
 35 either a day care center or school is allowed as an accessory use the minimum dimensional
 36 requirements for all structures on the site shall be determined by either the zoning district or this
 37 section or section 30-82 for day care centers or section 30-103 for schools, whichever is more
 38 restrictive in any particular.

39
 40 (c) *Food distribution centers for the needy.* Within all zoning districts, food distribution
 41 centers for the needy are allowed as accessory uses to any lawful place of religious assembly
 42 upon the issuance of a permit by the city manager or designee. The city manager or designee
 43 shall issue a permit, subject to the following conditions and requirements: The city manager or
 44 designee may issue a permit for a food distribution center for the needy within any zoning district
 45 where places of religious assembly are permitted by right or by special use permit with the
 46 following restrictions:

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(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.~~

(4) Each place of religious assembly shall file with the city manager a management program addressing hours of operation, personnel on site, management of solid waste, litter and lighting. At a minimum, the management program filed with the city manager shall meet the following conditions:

a. Hours of operation shall not begin before 7:30 a.m. and must conclude by 8:30 p.m.;

b. The name, address, and phone number of the person responsible for the facility shall be provided and kept up to date.

c. At least 1 person responsible for the facility must be on site when the facility is open;

d. Solid waste services to fully service the facility must be procured and utilized;

e. Sufficient solid waste receptacles to service the facility must be located on site and utilized; and

f. Outdoor lighting must be provided in accordance with the City Land Development Code.

~~(5) 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. No sign shall exceed 18 square feet, nor shall the total combined area for two signs exceed 30 square feet.~~

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1 (5) Within the residential districts, the proposed use as a food distribution center for the
 2 needy shall be compatible and in harmony with the uses and structures on adjacent and
 3 nearby properties.

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 5 (6) Failure to meet such conditions may result in the denial of a permit. In addition,
 6 failure of the place of religious assembly to adhere to the management program on file
 7 may result in revocation of the permit.

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 9 (d) Residences for destitute people. Within all zoning districts, residences for destitute
 10 people are allowed as accessory uses to any lawful place of religious assembly upon the issuance
 11 of a permit by the city manager or designee. The city manager or designee shall issue a permit,
 12 subject to the following conditions and requirements:—The city manager or designee may issue a
 13 permit for a residence for destitute people within any zoning district where places of religious
 14 assembly are permitted by right or by special use permit with the following restrictions:

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

18
 19 (2) Meals may be provided only to residents.

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

24
 25 ~~(4) Each place of religious assembly shall file with the city manager a management~~
 26 ~~program addressing hours of operation, personnel, management of solid waste, litter and~~
 27 ~~lighting. The name, address, and phone number of the person responsible for the facility~~
 28 ~~shall be kept up to date. —~~

29
 30 (4) Each place of religious assembly shall file with the city manager a management
 31 program addressing hours of operation, personnel on site, management of solid waste,
 32 litter and lighting. At a minimum, the management program filed with the city manager
 33 shall meet the following conditions:

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 35 a. Hours of operation shall not begin before 5:00 p.m. and must conclude by 9:00
 36 a.m.;

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 38 b. The name, address, and phone number of the person responsible for the facility
 39 shall be provided and kept up to date.

40
 41 c. At least 1 person responsible for the facility must be on site when the facility is
 42 open;

43
 44 d. Solid waste services to fully service the facility must be procured and utilized;
 45

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- 1 e. Sufficient solid waste receptacles to service the facility must be located on site
 2 and utilized; and
 3
- 4 f. Outdoor lighting must be provided in accordance with the City Land
 5 Development Code.
 6
- 7 (5) Each place of religious assembly must provide an indoor area meeting all state,
 8 county and city codes for use as a residence for destitute people. The area must be
 9 inspected and approved by the building official prior to being used as a residence for
 10 destitute people, either on a temporary or recurring basis.
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- 12 ~~(6) There must be at least one staff person or volunteer on site, and a director or~~
 13 ~~administrator on call, when anyone is sheltered overnight in a residence for destitute~~
 14 ~~people.~~
- 15
- 16 (6) Within the residential districts, the proposed use as a residence for destitute people
 17 shall be compatible and in harmony with the uses and structures on adjacent and nearby
 18 properties.
- 19
- 20 (7) Failure to meet such conditions may result in the denial of a permit. In addition,
 21 failure of the place of religious assembly to adhere to the management program on file
 22 may result in revocation of the permit.
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- 24 ~~(e) Residences for destitute people and food distribution center for the needy requiring a~~
 25 ~~special use permit. Places of religious assembly with a food distribution center for the~~
 26 ~~needy or a residence for destitute people as an accessory use that does not conform to (c)~~
 27 ~~and (d) above, shall comply with section 30-110 and 30-111, as applicable.~~
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- 29 ~~(e) Combined facilities. A special use permit may be issued for an accessory facility~~
 30 ~~functioning as both a food distribution center for the needy and a residence for destitute people~~
 31 ~~within any zoning district where places of religious assembly are permitted by right or by special~~
 32 ~~use permit. All requirements for both types of facilities must be met in order to get a special use~~
 33 ~~permit for a combined facility.~~
- 34
- 35 ~~(f) Development plan approval. Development plan approval, in accordance with the~~
 36 ~~requirements of article VII, is required before a building permit may be issued for any place of~~
 37 ~~religious assembly.~~

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39 Section 13. Section 30-103 of the Land Development Code is amended to read as

40 follows:

41 **Sec. 30-103. Private schools.**

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43 Dimensional requirements for private schools shall be as follows:

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