

LEGISLATIVE #

100889C

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. Meals served shall be limited to a consecutive 3 hour period within 24 hours, additional meals maybe served to residents and staff in a combined facility (residence for the destitute people and food distribution centers for the needy). 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. Notwithstanding the foregoing limitation, the city manager or designee may issue a special event permit to allow the total number of meals served to exceed 130 on the calendar days that Thanksgiving Day and Christmas Day are observed under federal law and on one additional day as chosen by the food distribution center for the needy. The city manager or designee may issue the special event permit upon finding that the following conditions and requirements are met:

a.

A complete application is filed on forms provided by the city at least ten city business days prior to the event; and

b.

The event shall be held at the permanent location of the food distribution center for the needy. If the food distribution center for the needy is located in a multiple occupancy development and shares the area to be used for the event with other occupants, the food distribution center for the needy must provide written consent from the owner of the development and from the occupants that share the space to be used for the event; and

c.

All permit applications shall include a report detailing the hours of the event, the number of people that are expected to attend the event, the indoor seating capacity of the food distribution center for the needy, the capacity and description of any proposed temporary outdoor structures or seating, a description of outdoor entertainment or speakers, a plan for the storage and disposal of solid waste during and after the event, and a public safety plan detailing how the food distribution for the needy will maintain crowd control and public safety, and comply with the city's noise ordinance; and

d.

Permit applications shall be reviewed by the appropriate departments of the city to address issues concerning the public health, safety and general welfare. In addition to normal concerns of each such department, particular attention will be given to maintaining safe traffic flow and control, automobile and pedestrian safety, and any significant adverse effects that the event will have on abutting property, particularly where the abutting property is residential.

e.

The permit may be approved, approved with conditions or denied by the city manager or designee based on the foregoing conditions and requirements:

(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, client code of conduct, location of non-resident client waiting areas, 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. (This section will be expanded to include the descriptions within this management program area as show in the staff report).

(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.