

RLUIPA
Religious Land Use
Institutionalized Persons Act

City Commission Meeting
February 4, 2008

- Letter to the Department of Justice
- Community Development Committee
 - Allow use by City Manager Permit
 - Address Citizen Concerns
 - Return with a recommendation as soon as possible

Citizen Concerns

- Proposed Language
 - Minimum lot size and setbacks
 - Hours of Operation
 - Residences of destitute people
 - Food Distribution Center for the needy
 - Compatibility

Citizen Concerns

- 20 meal limit
- Quarter mile distance requirement(1320)
- 2000 feet buffer around UF Campus
- Indoor areas meeting all codes

Minimum Lot Size and Setbacks

- Current Code
 - Minimum lot: multiply 100 square feet by the number of persons defined as the legal capacity by the building code of the city for all assembly, meeting or congregation areas.
 - Example: 100 sq. ft. X 100 persons = 10,000 sq. ft.
 - Space allocation needed
 - 25 parking spaces – 4000 sq. ft.
 - Building – 2500 sq. ft
 - Setback 12 feet sides and rear, 20 feet front – 5600 sq. ft

Dimensional/setbacks

- Building Height – 35 feet
- Setbacks – 45 degree angle of light obstruction for rear and side yards (the height of the building)
- Front set back – 20 feet.

Proposed Lot Size and Setbacks

- Minimum lot: Minimum lot area required for the specific zoning district plus one acre for every 100 persons (or fraction thereof) based on building capacity.
- Setbacks: Front – 25 feet; Side Interior - 50 feet or 45 degree angle whichever is greater; Side Street – 25 feet; Rear - 50 feet or 45 degree angle whichever is greater

Impact of Existing Churches

- Total Churches in Single Family Districts:
 - 68
- Located on less than an acre:
 - 21
- Located on less than a half acre:
 - 14

Day Spring Missionary Baptist



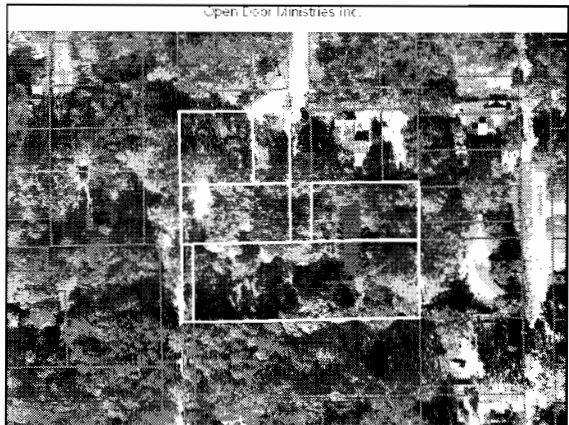
Johnson Chapel Missionary



Mt Olive A.M.E Church Trust



Open Door Ministries Inc.





Status of Existing Churches

- Nonconforming Lot- means any lot which does not meet the requirements for minimum lot area, lot depth or lot width, for any use, for the zoning district in which the lot is located.
- Nonconforming use – means the use of any building or land other than a use specifically permitted in the zoning district

Buildings on Nonconforming Lots

- Section 30 0346 (c) (3): The Board of Adjustment may authorize by special exception the issuance of a building permit for a building to be located on a nonconforming lot. (this has been interpreted to mean new buildings, expansions and renovations)

Revised Staff Recommendation Lot Size and Setbacks

- Minimum lot size total building capacity less than 200: 20,000 square feet.
- Minimum lot size total building capacity 200 or more: 1 acre.
- These standards would also apply to schools located in Single Family Districts.

Recommendation Setbacks

- Front: 20 feet or 45 degree angle whichever is greater.
- Side Interior: 20 feet or 45 degree angle whichever is greater.
- Side Street: 20 feet
- Rear: 20 feet or 45 degree angle whichever is greater.

Citizen Concern Existing Rules

- Residences for Destitute People
 - Existing:
 - City Manager Permit
 - 20 Beds
 - Meals to residents (no limit on residents)
 - Dangerous person provision
 - Management Plan: **Hours of operations**; personnel, management of solid waste, litter, and lighting, contact person.
 - All State, County and City Codes

Citizen Concern Existing Rules con't

- Combined facilities –Special Use Permit
- Development Plan Approval

Proposed Rules

- City Manager Permit
 - 20 Beds
 - Meals to residents (no limit on residents)
 - Dangerous person provision
 - Management Plan: **Hours of operations 5:00 pm -9:00 am**, personnel, management of solid waste, litter, and lighting, contact person.
 - All State, County and City Codes
 - Compatibility
 - Revocation clause

Revised Staff Recommendation Residences for Destitute People

- Hours of Operation – No restriction on hours.
- Compatibility – No requirement with indoor facility.
- Only indoor facility allowed.

Food Distribution Centers for the Needy

- Special Event Feeding: Wedding and funeral receptions, communions, family reunions, special church programs that include the feeding of members and their guest, are not included in the definition of a food distribution center for the needy.
- Existing rules:
 - 20 meals/24 hour period (non-resident)

Food Distribution Centers for the Needy

- Existing rules con't:
 - Distance requirement (1320 feet)
 - Indoor eating area meeting all codes
 - Management Plan
 - **Hours of operation**
 - Solid Waste/ Litter
 - Lighting
 - Name/Address/ Phone/Responsible Person
 - Signage

Food Distribution Centers for the Needy

- Proposed:
 - 20 meals/24 hour period (non-resident)
 - Distance requirement (1320 feet)
 - Indoor eating area meeting all codes
 - Management Plan
 - **Hours of operation (7:30 am – 8:30 pm)**
 - Solid Waste/ Litter
 - Lighting
 - Name/Address/ Phone/Responsible Person
 - Outdoor lighting (meet code)
 - Compatibility and Revocation

Revised Staff Recommendation Food Distribution

- All indoor activity – compatibility not required
- Outdoor activity- compatibility required
- Hours of operations – 7:00 am to 8:00 pm to be consistent with Alachua County

Compatibility

- Compatibility addresses:
 - Noise
 - Lighting
 - Traffic
 - Location of onsite uses in relation to adjacent uses
 - Examples: Not compatible to place trash receptacles next to residential uses.
 - Not compatibility to have glaring lights.

Other Citizen Concerns

- 20 meal limit (Alachua Co. 25 meal limit)
- Quarter mile distance requirement(1320)
 - Over saturation in one area, policy issue.
- 2000 feet buffer around UF Campus
 - Policy issue
- Indoor areas meeting all code
 - Public Safety (Building and Fire Codes)

Summary of Recommendations

- Minimum Lot Size and Setbacks
 - Minimum lot size total building capacity less than 200: 20,000 square feet.
 - Minimum lot size total building capacity 200 or more: 1 acre.
 - These standards would also apply to schools located in Single Family Districts.

Setbacks

- Front: 20 feet or 45 degree angle whichever is greater.
- Side Interior: 20 feet or 45 degree angle whichever is greater.
- Side Street: 20 feet
- Rear: 20 feet or 45 degree angle whichever is greater.

Residences for Destitute People

- Hours of Operation – No restriction on hours.
- Compatibility – No requirement with indoor facility.
- Only indoor facility allowed.

Food Distribution Center for the needy

- All indoor activity – compatibility not required
- Outdoor activity- compatibility required
- Hours of Operations: Alachua Co, 7:00 am – 8:00 pm, instead of City, 7:30 am – 8:30 pm.

Other Concerns Recommendation

- Meal Limits: 25 meals consistent with Alachua County.
- Saturation: Policy Issue, will need additional study.
- UF Buffer Zone: Policy Issue, will need additional study.
- Indoor Code Issues: Must meet building and fire code for public safety.