

**SEC. 51-4.204.**

**COMMUNITY SERVICE USES.**

Community service uses are subject to the following regulations:

(1) Post office.

(A) Definition: A government facility for the transmission, sorting, and local distribution of mail.

(B) Districts permitted: Nonresidential districts except O-1 and NO; specific use permit required in MF-3, MF-4, O-1, and LO districts.

(C) Required off-street parking: One space for each 200 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) This use includes main branches, substation branches, and neighborhood coin-operated self-service stations.

(2) Community, welfare, or health center.

(A) Definition: A community service facility where social, recreational, welfare, health, or child-care service is provided by a public, quasi-public, tax-exempt, church, or municipal agency.

(B) Districts permitted: MO, GO, commercial, central area, and industrial districts; specific use permit required in O-2 and residential districts except MH.

(C) Required off-street parking: One space for each 200 square feet of floor area, or the ratio of an equivalent use, whichever is greater.

(D) Required off-street loading:

<b><u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u></b>	<b><u>TOTAL REQUIRED SPACES OR BERTHS</u></b>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(3) Foster home.

(A) Definition: A facility licensed by the state as a foster home that provides room, board, ordinary care, and supervision to five or more individuals under 18 years of age, who are not related by blood, marriage, or adoption to the owner or operator of the facility.

(B) Districts permitted: Commercial and central area; specific use permit required in residential, O-1, O-2, and industrial districts.

(C) Required off-street parking: Two spaces.

(D) Required off-street loading:

<b><u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u></b>	<b><u>TOTAL REQUIRED SPACES OR BERTHS</u></b>
0 to 50,000	NONE
50,000 to 100,000	1
100,000 to 300,000	2
Each additional 200,000 or fraction thereof	1 additional

(4) Child-care facility.

(A) Definition: A facility that provides care, training, education, custody, treatment, or supervision for persons under 14 years of age who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers. This use does not include:

(i) a facility that is operated in connection with a shopping center, business, religious organization, or establishment where children are cared for during short periods while parents or persons responsible for the children are attending religious services, shopping, or engaging in other activities on or near the premises, including but not limited to retreats or classes for religious instruction;

(ii) a school or class for religious instruction that does not last longer than two weeks and is conducted by a religious organization during the summer months;

(iii) an educational facility accredited by the Central Education Agency or the Southern Association of Colleges and Schools that operates primarily for educational purposes in grades kindergarten and above;

(iv) an educational facility that operates solely for educational purposes in grades kindergarten through at least grade two, that does not provide custodial care for more than one hour during the hours before or after the customary school day, and that is a member of an organization that promulgates, publishes, and requires compliance with health, safety, fire, and sanitation standards equal to standards required by state, municipal, and county codes;

(v) a kindergarten or preschool educational program that is operated as part of a public school or a private school accredited by the Central Education Agency, that offers educational programs through grade six, and does not provide custodial care during the hours before or after the customary school day;

(vi) an educational facility that is integral to and inseparable from its sponsoring religious organization or an educational facility both of which do not provide custodial care for more than two hours maximum per day, and that offers educational programs for children age five and above in one or more of the following: kindergarten through at least grade three, elementary, or secondary grades;

(vii) a day home as defined in Section 51-4.217; or

(viii) individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption.

(B) Districts permitted: Commercial and central area districts; specific use permit required in residential, office, and industrial districts; limited use in NO, LO, MO, and GO districts (specific use permit not required).

(C) Required off-street parking: One space for each 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 50,000	NONE
50,000 to 100,000	1
100,000 to 300,000	2
Each additional 200,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The limited use regulations in this chapter are modified for this use to allow an outdoor play area and separate access from the main building to the play area.

(ii) This use must comply with all applicable requirements imposed by state law.

(iii) The persons being cared for, trained, kept, treated, or supervised under this use may not use the facility as a residence.

(5) Halfway house.

(A) Definition: A facility for the housing, rehabilitation, and training of persons on probation, parole, or early release from correctional institutions, or other persons found guilty of criminal offenses.

(B) Districts permitted: Specific use permit required in GR, LC, HC, I-1, and central area districts. A halfway house may not be located in a planned development district unless all of the requirements of this paragraph are met.

(C) Required off-street parking: Determined by the specific use permit. This requirement must include provision of adequate off-street parking for residents, staff, and visitors. In determining an adequate number of off-street parking spaces, the city council shall consider the degree to which allowing the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use, and the feasibility of traffic mitigation measures.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 50,000	1
50,000 to 100,000	2
Each additional 100,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) No more than 50 residents are permitted in a halfway house. Halfway houses must be located at least 1000 feet from residential districts, single-family, duplex, and multiple-family uses, public parks and recreational facilities, child-care facilities, and public or private schools.

(ii) A halfway house may not be located within one mile from another halfway house.

(iii) A specific use permit for a halfway house shall be issued for a two year time period. Periodic review periods may be established as part of the specific use permit.

(iv) The treatment of alcoholic, narcotic, or psychiatric problems is allowed under this use if expressly permitted by the specific use permit.

(v) This use shall comply with all applicable city, state, and federal codes and regulations.

(vi) Halfway houses must be located within 1200 feet of mass transit service.

(vii) A halfway house specific use permit application must include evidence of meetings between the applicant and property owners within the notification area. Evidence of meetings must include records reflecting the dates of the meetings, the individuals or organizations involved, and the issues discussed and resolved.

(viii) Signs identifying a use as a halfway house are not permitted.

(ix) Halfway house premises must be properly maintained in good condition at all times.

(x) A security plan must be submitted with an application for a specific use permit for a halfway house. The security plan must demonstrate compliance with the security requirements of state law. The director shall furnish a copy of security plans for halfway houses to appropriate city, county, and state agencies for their review before the commission's consideration of an application. Provisions addressing security must be included in any ordinance granting a specific use permit for a halfway house. A compliance report must be submitted to the director every two years after the date of passage of an ordinance granting a specific use permit and with each application for renewal of a specific use permit for a halfway house.

(xi) Measurements of distance under this paragraph are taken radially. "Radial" measurement means a measurement taken along the shortest distance between the nearest point of the building site of the halfway house and the nearest point of the building site of another use, or of a zoning district boundary.

(6) Adult day care facility.

(A) Definition: A facility that provides care or supervision for five or more persons 18 years of age or older who are not related by blood, marriage, or adoption to the owner or operator of the facility, whether or not the facility is operated for profit or charges for the services it offers.

(B) Districts permitted: By right in commercial and central area districts; specific use permit required in residential, office, and industrial districts; limited use in NO, LO, MO, and GO districts (specific use permit not required).

(C) Required off-street parking: One space per 500 square feet of floor area.

(D) Required off-street loading:

<u>SQUARE FEET OF FLOOR AREA IN STRUCTURE</u>	<u>TOTAL REQUIRED SPACES OR BERTHS</u>
0 to 10,000	NONE
10,000 to 60,000	1
Each additional 60,000 or fraction thereof	1 additional

(E) Additional provisions:

(i) The limited use regulations in this chapter are modified for this use to allow an outdoor recreation area and separate access from the main building to the recreation area.

(ii) This use must comply with statutory licensing requirements.

(iii) The persons being cared for or supervised under this use may not use the facility as a residence.

(7) Reserved. (Ord. Nos. 16802; 17329; 18014; 18849; 19059; 19064; 19455; 19931; 20845; 21044; 27404)

*[Remainder of page intentionally left blank.]*