



City of El Paso – City Plan Commission Staff Report

Amendment to Title 20

This amendment will amend the number of residents applicable to a Disabled Group Dwelling and a Group Residential Facility.

This amendment is recommended for approval by staff.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (DEFINITIONS), SECTION 20.02.295 (DISABLED GROUP DWELLING) AND SECTION 20.02.426 (GROUP RESIDENTIAL FACILITY); AND CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS, SECTION 20.10.175 (DISABLED GROUP DWELLING), SECTION 20.10.265 (GROUP RESIDENTIAL FACILITIES), AND SECTION 20.10.270 (HOME OCCUPATION USE) TO CLARIFY SIZE AND LICENSING REQUIREMENTS FOR THESE USES. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 (ENFORCEMENT – PENALTY) OF THE EL PASO CITY CODE.

WHEREAS, Title 20 (Zoning) of the El Paso City Code was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, it is necessary to provide adequate and reasonable accommodation for the disabled and elderly through the creation of development standards for the location of facilities serving these populations; and,

WHEREAS, it is necessary to revise existing development standards to clarify size regulations and bring licensing requirements into conformance with State law; and,

WHEREAS, a public hearing regarding the proposed amendment was held before the City Plan Commission, and the Commission recommended approval of the amendment; and,

WHEREAS, the El Paso City Council has determined that this amendment is in the best interest of the public and will promote the public health, safety and welfare of the City;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 20 (Zoning), Chapter 20.02 (Definitions), Section 20.02.295 (Disabled Group Dwelling) and Section 20.02.426 (Group residential facility) of the El Paso City Code be amended as follows:

“Disabled group dwelling” means a single family dwelling designed and used as a residence by no more than six (6) persons with disabilities who are living together as a single housekeeping unit. Disabled person has the meaning defined by the Federal Fair Housing Act of 1988, as amended. This use does not include a homeless shelter or halfway house as defined in this Title.

“Group residential facility” means an interim or permanent residential facility (as opposed to a lodging or medical treatment facility) that provides room and board to seven (7) or more disabled persons, and who live together as a single housing unit. Disabled person has the meaning defined by the Federal Fair Housing Act of 1988, as amended. This use does not include a homeless shelter or halfway house defined in this Title.

SECTION 2. That Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.175 (Disabled group dwelling), Subsection 20.10.175(A) Occupancy of the El Paso City Code be amended as follows:

A. Occupancy: Not more than six (6) persons with disabilities may reside in a disabled group dwelling at the same time.

SECTION 3. That Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.265 (Group residential facilities), Subsection 20.10.265(A) Occupancy of the El Paso City Code be amended as follows:

A. Occupancy: Seven (7) or more disabled persons.

SECTION 4. That Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.270 (Home occupation uses), Subsection 20.10.270(B) of the El Paso City Code be amended to delete Subsection 20.10.270(B)(14).

SECTION 5. Except as expressly herein amended, Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

ADOPTED this _____ day of _____ 2016.

CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Karla M. Nieman
Assistant City Attorney

Larry F. Nichols, Director
Planning & Inspections Department

Ordinance No. _____
16-1007-1664/520420
Group Home Revision Ordinance
KMN