

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning & Economic Development Department

**AGENDA DATE:** April 19, 2011

**CONTACT PERSON/PHONE:** Mathew McElroy, (915) 541-4193,  
[mcelroymx@elpasotexas.gov](mailto:mcelroymx@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:**

An Ordinance Amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Chapter 20.10 (Supplemental Use Regulations) and Appendix A (Table of Permissible Uses) of the El Paso City Code to add a definition of Accessory Dwelling Units and to add standards for Accessory Dwelling Units. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

Accessory dwelling units play an integral role in communities that utilize Smart Growth principles. They promote a mix of residential uses and densities as well as increasing the stock of affordable housing, providing additional options for elderly or disabled, empty nesters and young adults entering the workforce.

This amendment will expand the current provisions in Title 20 relating to accessory buildings and structures (Section 20.10.030) and will provide more opportunities for the use of accessory dwelling units, while adding design standards to make them more compatible with residential neighborhoods.

**PRIOR COUNCIL ACTION:**

On November 30, 2010, the El Paso City Council approved moving forward with a Smart Growth implementation Plan. The items on the implementation plan have been divided into separate timelines and this is the first group of changes. Items can be expected in April, May and then throughout the rest of the calendar year.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

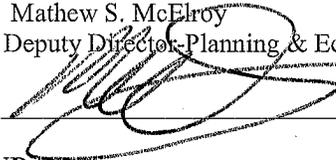
Both DCC and CPC recommend approval.

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning & Economic Development



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**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) AND APPENDIX A (TABLE OF PERMISSIBLE USES) OF THE EL PASO CITY CODE TO ADD A DEFINITION OF ACCESSORY DWELLING UNITS AND TO ADD STANDARDS FOR ACCESSORY DWELLING UNITS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, Title 20 (Zoning) of the El Paso City Code has regulations for accessory buildings and structures but lacks regulations for accessory dwelling units in single family zoning districts; and,

**WHEREAS**, the City Council adopted a Resolution on January 6<sup>th</sup> 2011 detailing the relationship between the built environment and obesity and directed the City Manager to recommend zoning code changes to increase opportunities for physical activity; 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 the regulation of accessory dwelling units will provide opportunities for affordable housing and revitalization of existing neighborhoods within the City of El Paso, and 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, General Provisions and Definitions, of the El Paso City Code to add the following definition:

**20.02.029**

"Accessory dwelling unit" means an accessory building that is intended to be used as a dwelling unit.

**SECTION 2.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, Section 20.10.030, Accessory Buildings and Structures, Paragraph A, Subparagraph 1, of the El Paso City Code be amended as follows:

**20.10.030, Accessory Buildings and Structures**

**A. Residential**

1. Residential accessory buildings shall not exceed one story or fifteen feet in height and must be located in a rear yard, or in a side yard if minimum required side setbacks are maintained, except as permitted in Section 20.10.035 (Accessory Dwelling Units). Condensing units for central air conditioning systems shall be no closer than five feet to a lot line.

CITY CLERK DEPT.  
2011 APR -4 PM 5:05

**SECTION 3.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, Section 20.10.030, Accessory Buildings and Structures, Paragraph A, Subparagraph 3, of the El Paso City Code be amended as follows:

**20.10.030, Accessory Buildings and Structures**

A. Residential

3. Detached residential accessory buildings shall be located not less than sixty feet from the front lot line, a minimum of five feet from the main building, and shall comply with the side and side street yard requirements. No rear yard setback shall be required, except for accessory dwelling units as permitted in Section 20.10.035.

**SECTION 4.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, Section 20.10.030, Accessory Buildings and Structures, Paragraph A, Subparagraph 4, of the El Paso City Code be amended as follows:

**20.10.030, Accessory Buildings and Structures**

A. Residential

4. The gross floor area of all combined detached residential accessory buildings on a lot shall not exceed the more restrictive of the following, except that one building with up to four hundred square feet shall be permitted:

- a. Fifty percent of the gross floor area of the main building; or
- b. Forty percent of the area of the rear yard.

**SECTION 5.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, of the El Paso City Code be amended to add the following Section:

**20.10.035 Accessory dwelling unit (ADU).**

A. In addition to the regulations in Section 20.10.030, detached accessory dwelling units in residential zoning districts shall comply with the following:

- 1. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence. An owner of a property containing an accessory dwelling unit who is absent for a period of one year or less may rent the owner's unit as well as the second unit during the temporary absence.
- 2. Only one ADU is permitted on a lot with a detached single family dwelling. ADUs are not permitted on lots with a duplex or multi-family units.
- 3. The minimum lot area is 5,500 square feet.
- 4. If the lot is designated for on-site ponding, the maximum lot coverage, including all buildings and impervious surfaces, is 50%.
- 5. The ADU shall not exceed 800 square feet of gross floor area, except that for lots containing 8,000 square feet or more, the ADU shall not exceed 1,200 square feet gfa.
- 6. The ADU shall not contain more than one bedroom.
- 7. The ADU shall comply with all building code requirements for a dwelling unit, including but not limited to, heating and cooling, cooking and bathroom facilities.

8. The ADU shall be located a minimum of 10 feet from any property line, except that when the rear property line abuts an alley with a minimum ROW of 20 feet, the rear setback for an ADU may be reduced to 0 feet; and when the rear property line abuts an alley with ROW less than 20', the rear setback for an ADU may be reduced to 5 feet, or less if approved by the Traffic Engineer.

9. Vehicular access to the ADU is permitted from an abutting alley if on-site parking is provided for the ADU.

10. The height of the ADU shall not exceed the height of the principal unit.

11. Windows shall not be permitted on the wall of an ADU that is within 10 feet of the property line abutting a residential use, if the ADU is taller than one story or 15 feet, unless a minimum 15' buffer of privacy trees (see approved tree list) are planted at 15 feet on center along the side and/or rear property lines adjacent to the ADU.

12. ADUs shall resemble the principal unit in scale, material and color. Roof pitch, siding material and color shall match the principal unit.

13. Windows shall be similar to the principal unit in the following ways: type of window, trim style, proportions.

B. Attached accessory dwelling units are permitted when they comply with the following:

1. Only one ADU is permitted on a lot with a single family dwelling. ADUs are not permitted on lots with a duplex or multi-family units.

2. The minimum lot area is 5,500 square feet.

3. The ADU shall not exceed 800 square feet of gross floor area except that for lots containing 8,000 square feet or more, the ADU shall not exceed 1,200 square feet gfa.

4. The ADU shall not contain more than one bedroom.

5. The ADU shall comply with all building code requirements for a dwelling unit, including but not limited to, heating and cooling, cooking and bathroom facilities.

6. The ADU shall comply with all yard standards of the zoning district.

7. A separate entrance shall be provided for the ADU.

8. Vehicular access to the ADU is permitted from an abutting alley if on-site parking is provided for the ADU.

9. The height of the ADU shall not exceed the height of the principal unit.

10. ADUs shall resemble the principal unit in scale, material and color. Roof pitch, siding material and color shall match the principal unit.

11. Windows shall be similar to the principal unit in the following ways: type of window, trim style, proportions.

**SECTION 6.** That Title 20, Zoning, Chapter 20.10, Appendix A, Table of Permissible Uses, of the El Paso City Code be amended to add the following:

### **Appendix A**

13.35 "Accessory dwelling unit" as a permitted accessory use (A) in all residential (R) and apartment (A) zoning districts; as not permitted (X) in all commercial (C) and manufacturing (M) zoning districts; and as a permitted accessory use with detailed site plan approval (D) in all special purpose districts. Add under supplemental standards 20.010.10, 20.010.20 and 20.010.35.

**SECTION 7.** 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 \_\_\_\_\_ 2011.

CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Planning and Economic Development Dept.

CITY CLERK DEPT.  
2011 APR -4 PM 5:05

ORDINANCE NO. \_\_\_\_\_

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**WHEREAS**, Title 20 (Zoning) of the El Paso City Code has regulations for accessory buildings and structures but lacks regulations for accessory dwelling units in single family zoning districts; and,

**WHEREAS**, the City Council adopted a Resolution on January 6<sup>th</sup> 2011 detailing the relationship between the built environment and obesity and directed the City Manager to recommend zoning code changes to increase opportunities for physical activity; 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 the regulation of accessory dwelling units will provide opportunities for affordable housing and revitalization of existing neighborhoods within the City of El Paso, and 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, General Provisions and Definitions, of the El Paso City Code to add the following definition:

**20.02.029**

"Accessory dwelling unit" means an accessory building that is intended to be used as a dwelling unit.

**SECTION 2.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, Section 20.10.030, Accessory Buildings and Structures, Paragraph A, Subparagraph 1, of the El Paso City Code be amended as follows:

**20.10.030, Accessory Buildings and Structures**

**A. Residential**

1. Residential accessory buildings shall not exceed one story or fifteen feet in height and must be located in a rear yard, or in a side yard if minimum required side setbacks are maintained, except as permitted in Section 20.10.035 (Accessory Dwelling Units). Condensing units for central air conditioning systems shall be no closer than five feet to a lot line.

**SECTION 3.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, Section 20.10.030, Accessory Buildings and Structures, Paragraph A, Subparagraph 3, of the El Paso City Code be amended as follows:

**20.10.030, Accessory Buildings and Structures**

A. Residential

3. Detached residential accessory buildings shall be located not less than sixty feet from the front lot line, a minimum of five feet from the main building, and shall comply with the side and side street yard requirements. No rear yard setback shall be required, except for accessory dwelling units as permitted in Section 20.10.035.

**SECTION 4.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, Section 20.10.030, Accessory Buildings and Structures, Paragraph A, Subparagraph 4, of the El Paso City Code be amended as follows:

**20.10.030, Accessory Buildings and Structures**

A. Residential

4. The gross floor area of all combined detached residential accessory buildings on a lot shall not exceed the more restrictive of the following, except that one building with up to four hundred square feet shall be permitted:

- a. Fifty percent of the gross floor area of the main building; or
- b. Forty percent of the area of the rear yard.

**SECTION 5.** That Title 20, Zoning, Chapter 20.10, Supplemental Use Regulations, of the El Paso City Code be amended to add the following Section:

**20.10.035 Accessory dwelling unit (ADU).**

A. In addition to the regulations in Section 20.10.030, detached accessory dwelling units in residential zoning districts shall comply with the following:

1. The property owner must occupy either the principal unit or the accessory dwelling unit as their permanent residence. An owner of a property containing an accessory dwelling unit who is absent for a period of one year or less may rent the owner's unit as well as the second unit during the temporary absence.

~~B.2.~~ Only one ADU is permitted on a lot with a detached single family dwelling. ADUs are not permitted on lots with a duplex or multi-family units.

~~C.3.~~ The minimum lot area is 5,500 square feet.

~~D.4.~~ If the lot is designated for on-site ponding, the maximum lot coverage, including all buildings and impervious surfaces, is 50%.

5. The ADU shall not exceed 800 square feet of gross floor area, except that for lots containing 8,000 square feet or more, the ADU shall not exceed 1,200 square feet gfa.

~~E.6.~~ The ADU shall not contain more than one bedroom.

~~G.7.~~ The ADU shall comply with all building code requirements for a dwelling unit, including but not limited to, heating and cooling, cooking and bathroom facilities.

~~H.8.~~ The ADU shall be located a minimum of 10 feet from any property line, except that when the rear property line abuts an alley with a minimum ROW of 20 feet, the rear setback

for an ADU may be reduced to 0 feet; and when the rear property line abuts an alley with ROW less than 20', the rear setback for an ADU may be reduced to 5 feet, or less if approved by the Traffic Engineer.

~~I.9.~~ Vehicular access to the ADU is permitted from an abutting alley if on-site parking is provided for the ADU.

~~J.10.~~ The height of the ADU shall not exceed the height of the principal unit.

~~K.11.~~ Windows shall not be permitted on the wall of an ADU that is within 10 feet of the property line abutting a residential use, if the ADU is taller than one story or 15 feet, unless a minimum 15' buffer of privacy trees (see approved tree list) are planted at 15 feet on center along the side and/or rear property lines adjacent to the ADU.

~~L.12.~~ ADUs shall resemble the principal unit in scale, material and color. Roof pitch, siding material and color shall match the principal unit.

~~M.13.~~ Windows shall be similar to the principal unit in the following ways: type of window, trim style, proportions.

B. Attached accessory dwelling units are permitted when they comply with the following:

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~~C.2.~~ The minimum lot area is 5,500 square feet.

~~D.3.~~ The ADU shall not exceed 800 square feet of gross floor area except that for lots containing 8,000 square feet or more, the ADU shall not exceed 1,200 square feet gfa.

~~E.4.~~ The ADU shall not contain more than one bedroom.

~~F.5.~~ The ADU shall comply with all building code requirements for a dwelling unit, including but not limited to, heating and cooling, cooking and bathroom facilities.

~~G.6.~~ The ADU shall comply with all yard standards of the zoning district.

~~H.7.~~ A separate entrance shall be provided for the ADU.

~~I.8.~~ Vehicular access to the ADU is permitted from an abutting alley if on-site parking is provided for the ADU.

~~J.9.~~ The height of the ADU shall not exceed the height of the principal unit.

~~K.10.~~ ADUs shall resemble the principal unit in scale, material and color. Roof pitch, siding material and color shall match the principal unit.

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**SECTION 6.** That Title 20, Zoning, Chapter 20.10, Appendix A, Table of Permissible Uses, of the El Paso City Code be amended to add the following:

### **Appendix A**

13.35 "Accessory dwelling unit" as a permitted accessory use (A) in all residential (R) and apartment (A) zoning districts; as not permitted (X) in all commercial (C) and manufacturing (M) zoning districts; and as a permitted accessory use with detailed site plan approval (D) in all special purpose districts. Add under supplemental standards 20.010.10, 20.010.20 and 20.010.35.

**SECTION 7.** 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 \_\_\_\_\_ 2011.

*SIGNATURES OF FOLLOWING PAGE*

CITY OF EL PASO

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John F. Cook, Mayor

ATTEST:

---

Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

---

Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

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Mathew S. McElroy, Deputy Director  
Planning and Economic Development Dept.



**Date:** April 18, 2011  
**To:** Honorable Mayor and City Council  
Joyce Wilson, City Manager  
**From:** Kimberly Forsyth, Lead Planner *KCF*  
**Subject:** CCA April 19, 2011 Item 8A - Accessory Dwelling Units

The City Plan Commission (CPC) on March 10, 2011, voted unanimously to recommend **approval** of the proposed Title 20 code amendment to permit accessory dwelling units (ADUs), both as rental and non-rental units, and to add design standards for ADUs.

There was discussion on the following staff recommendations, after which the recommendations were deleted from the ordinance:

1. To require that an abutting alley must be paved to City standards, if the alley was used for access to the ADU. The CPC voted to delete this requirement, with one dissenting vote.

2. That the property owner be required to obtain a permit or license from the City if the ADU was used for rental property. The CPC voted to delete this requirement, with one dissenting vote.

The CPC also approved language to permit temporary absences of the property owner up to a one year period. The staff had recommended that the property owner must occupy either the principal residence or the accessory unit, consistent with requirements found in most other cities that allow ADUs.

The CPC found that the code amendment will support the City's Smart Growth Initiative Plan, and will promote a mix of residential uses and densities, increase the stock of affordable housing and provide more housing options. The CPC also determined that the code amendment would protect the best interest, health, safety, and welfare of the public in general; and would not have potential adverse effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

To date, the staff received 4 emails in opposition of the code amendment, 3 emails in support, and a few that were neutral.

**Attachments:**

Public comment (emails)



Planning & Economic Development

2 Civic Center Plaza • El Paso, Texas 79901 • (915) 541-4024

**Mayor**  
John F. Cook

**City Council**

District 1  
Ann Morgan Lilly

District 2  
Susannah M. Byrd

District 3  
Emma Acosta

District 4  
Carl L. Robinson

District 5  
Rachel Quintana

District 6  
Eddie Holguin Jr.

District 7  
Steve Ortega

District 8  
Beto O'Rourke

**City Manager**  
Joyce A. Wilson

**Forsyth, Kimberly**

**From:** Sarah Stone [sarah@guemez.net]  
**Sent:** Monday, April 04, 2011 9:41 AM  
**To:** Forsyth, Kimberly  
**Subject:** Apartments Allowed  
**Attachments:** Title 20 ADU City Council 4-19-11.doc

I just got the email about the ordinance allowing apartments behind houses. Please send my thanks to whoever was behind this. I'm glad that El Paso is becoming more of a forward-thinking neighborhood-friendly City. This is great news.

Sarah Guemez  
 11010 Galloway Dr.

----- Forwarded message -----

**From:** Omar Silva <omar.brenda@gmail.com>  
**Date:** Thu, Mar 31, 2011 at 10:41 AM  
**Subject:** Fwd: FW: NEIGHBORHOOD ASSOCIATIONS  
**To:** Alberta Carter <galpaso@elp.rr.com>, Alexander Appelzoller <aappelzoller@elp.rr.com>, Amy O'Rourke <aorourke05@gmail.com>, Andrea Silva <silvaandie@gmail.com>, Ann Steinhauer <asteinarts@elp.rr.com>, Anne Mosley <animosley@sbcglobal.net>, Armando Gutierrez <Mandomedic122@att.net>, Armida Gonzalez <armidgonz@gmail.com>, "bagatela@hotmail.com" <bagatela@hotmail.com>, Barbara Christopher <bchristo5@comcast.net>, Belinda Luna <belinda@lunainsgroup.com>, Bob Storch <rstorch@sbcglobal.net>, Carlos Rubio <rubio.1969@gmail.com>, Carlos Silva <elpsunset@gmail.com>, Cecilia Lizarraga <cecilia.lizarraga@gmail.com>, Cesar Gomez <czarlori@sbcglobal.net>, Claudia Rivers <claudiaanddoug@sbcglobal.net>, Cory Stoerner <stoerner@gmail.com>, Dale Farley <zazhu@earthlink.net>, Daniel Delahaye <daniel.delahaye@navy.mil>, David and Noemi Tovar <nptovar@yahoo.com>, David Montelongo <hdmonte13@yahoo.com>, Dee Cameron <southwind022000@yahoo.com>, Doug Yost <buyersadvocate@sbcglobal.net>, Doug Yost <dyost@elp.rr.com>, Eddie Venegas <oceaned03@yahoo.com>, Edgar Lopez <elopez@mijaresmora.com>, "ejwega@aol.com" <ejwega@aol.com>, Ernesto Villanueva <villanueva4district8@yahoo.com>, Ernie Ochoa <ernie8a@yahoo.com>, Felipe Luna <felipe@lunainsgroup.com>, Gabriel Solis <karmaradical@hotmail.com>, Gerardo Guemez <gerardo@guemez.net>, Gilberto and Mando <gilberto.r.rosales@gmail.com>, Gracie Odell <odellgracie@sbcglobal.net>, Greg Kahn <gekahn@miners.utep.edu>, Hal Marcus <hmarcusart@aol.com>, Heather Cawley <hcawley@canutillo-isd.org>, Hector and Veronica Aguirre <haguirre9@elp.rr.com>, Historical Society <info@elpasohistory.com>, James Madrid <designs3k@yahoo.com>, "jlaw4001@yahoo.com" <jlaw4001@yahoo.com>, Joe Gomez <joe\_gomezr@hotmail.com>, Joel Guzman <joel.guzman@huntcompanies.com>, John Wiebe <jwiebe@utep.edu>, Jorge Fitzmaurice <psmiguel1@msn.com>, Joseph Nevarez <joseph.nevarez@yahoo.com>, Juan Sandoval <juanoaxaca@gmail.com>, Katherine Lehmann & Greg Brady <katielehmann628@gmail.com>, Laura O'Dell <lodell@utep.edu>, Leah Osborne <leah\_osborne919@yahoo.com>, Lee and Bea Frederick <elhunter@aol.com>, Letty Ruvalacaba

4/15/2011

**Forsyth, Kimberly**

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**From:** michael bearce [mikebearce@hotmail.com]  
**Sent:** Wednesday, March 30, 2011 4:35 PM  
**To:** Forsyth, Kimberly  
**Subject:** FW: Accessory Dwelling Units (UNCLASSIFIED)

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From: mikebearce@hotmail.com  
To: district4@elpasotexas.gov  
CC: forsythk@elpasotexas.gov  
Subject: Accessory Dwelling Units (UNCLASSIFIED)  
Date: Tue, 29 Mar 2011 21:58:18 -0600

Dear Representative Robinson,

I want to express my support for the city's initiative on ADUs. I view the initiative as progressive. It gives us more housing options. I really like that ADUs will be brought more in line with existing construction codes...this should greatly improve the safety of the residents of the ADUs as well as their neighbors. I also very much like that ADUs will have to fit in with the look and feel of the main property so that continuity of neighborhoods is maintained. I hope that you will support the initiative too.

I also wanted to take the time to acknowledge the fine presentation Ms Kim Forsyth made on the 2nd of March to several Northeast El Paso neighborhood associations. Her briefing was informative and professional. She handled the numerous questions very well.

Mike Bearce  
Castner Heights resident  
757-9395

**Forsyth, Kimberly**

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**From:** Gary Walford [garywalford@sbcglobal.net]  
**Sent:** Friday, March 11, 2011 10:38 AM  
**To:** Forsyth, Kimberly  
**Subject:** Fwd: ADU Ordinance

Forwarded to you for appropriate action or as a matter of record.

**Gary Walford**  
**[garywalford@sbcglobal.net](mailto:garywalford@sbcglobal.net)**  
**751-6213**

Begin forwarded message:

**From:** Gary Walford <garywalford@sbcglobal.net>  
**Date:** March 10, 2011 8:03:14 PM MST  
**To:** "Robinson, Carl" <district4@elpasotexas.gov>  
**Cc:** forsythk@elpasotexas.gov  
**Subject:** ADU Ordinance

Dear Representative Robinson.

I am writing to you today to express my dissatisfaction of the existing ADU ordinance and the proposed amendments.

As a home owner I am of the opinion that if this amendment passes it will open up a pandora's box of problems & issues that no one is prepared to deal with.

The fact that this ordinance has existed for years, bears witness to the lack of code enforcement. There are many examples of non compliance of the current ordinance throughout El Paso.

I understand the need for available housing in this city however, I also realize that cramping more people in an already established neighborhood is definitely going to create a lot of undesirable issues that will have no acceptable solutions to any one. If this happens people who have been good neighbors for all these years will be pitted against each other as problems surface.

Over the years here In El Paso, while employed by the El Paso Times, I have had the opportunity to review many demographic studies that reflected trends of other cities and compared them to like trends here in El Paso. I was astonished at how opposite trends in El Paso were when compared to the rest of the country and the State of Texas. To say that ADU's work in San Antonio with out any problems does not mean a hill of beans here in El Paso.

I am sure that when the decision to allow the ADU,s in San Antonio was made, the decision makers also considered that they had to have a sufficient amount of employees, such as building inspectors, police and other required service personnel, in place to handle the increased growth and needs of the populace with-in an already established neighborhood.

Here is one example, that to me, reflects the inability/failure of the City of El

Paso in meeting our current community needs. (Please keep in mind the words ("To Protect & Serve" as you continue on reading)

Recently new school zone 15 mile per hour signs were put up all around Whittaker School. This restriction is applicable between the hours from 7:00 A.M to 4:00 P.M. on school days. I walk this area two times a day, in the morning when the children are walking to school and in the afternoon at the same time they are released. I can assure you that in as little as 1 hour I have seen at least 50 violations from speeding, to the running of stop signs and drivers not paying attention because they are holding a cell phone to their ears. Why is this happening every day? The answer is the lack of police presence. We have School District Police, Constables, Deputy Sheriff's and Texas Sate Troopers and yet we have this situation reoccurring every day. The only way that this situation can change is by having the laws enforced, this means a frequent police presence of which is currently not happening.

When I have called to complain about these violations I am told that a unit will be dispatched when one is available. This situation repeats itself in many vandalism cases and other crimes occurring in our community. It makes little sense to me to establish rules if you have no means to enforce them. Some people choose the rules they want to live by in the absence of enforcement. Where is the service & protection when its needed?

if a child gets run over, then someone in authority should be held accountable, especially when it can be proven that complaints after complaints of people ignoring the traffic signs have been reported to the City Police Department and our City Representatives. We have been ignored or provided excuses that are meant to justify the inability of the City of El Paso to Protect & Serve the citizens of my neighborhood, North East El Paso and this City.

In closing, let me say that in past history there have been many examples with in our society that when people live in close quarters creates a multitude of social problems. Remember riots In the Watts area of L. A., the overcrowding of our prisons (causes unrest and riots). Mass exoduses from the inner cities of to the suburbs because of people problems & crime etc.

I strongly recommend that the amendment to the existing code not be passed as it is and that the existing code be nullified.

There has got to be a better solution for the need of increased housing with in current boundaries of our city and neighborhoods

with out infringing on the existing quality of life of our already established neighborhood.

Respectfully Submitted

**Gary Walford**  
**Home Owner**  
**Castner Heights**  
**[garywalford@sbcglobal.net](mailto:garywalford@sbcglobal.net)**

## Forsyth, Kimberly

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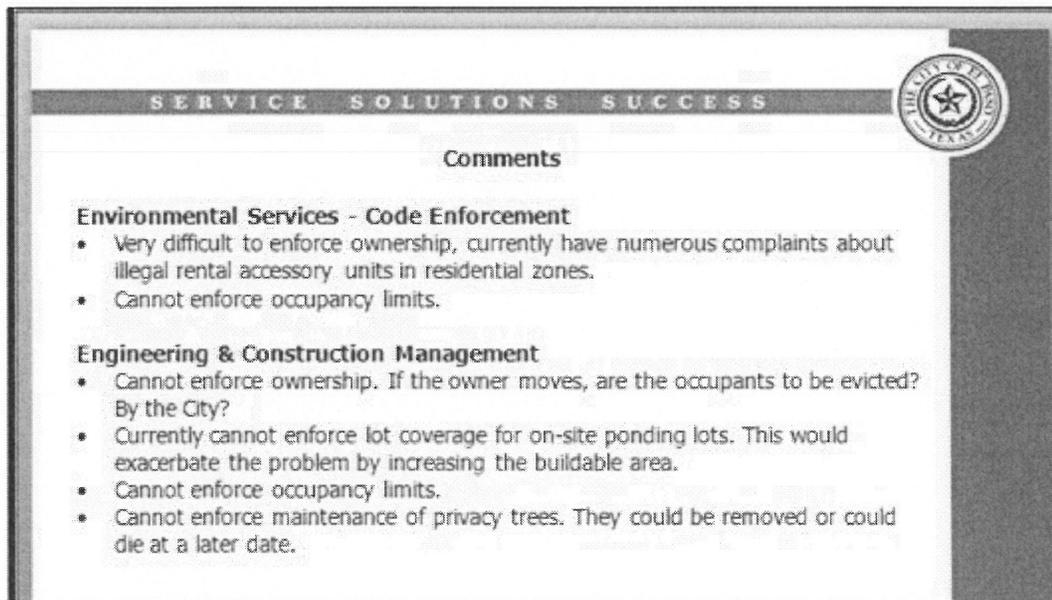
**From:** Rgmeigel@aol.com  
**Sent:** Thursday, March 10, 2011 11:35 AM  
**To:** Forsyth, Kimberly  
**Subject:** ADUs on Today's CPC Agenda

I am emailing this input for today's CPC Agenda, Item 21d.

I had emailed you earlier about my block's position on ADUs (below in blue)—we don't want them for the reasons cited, and would rather that you repeal the entire original ordinance than amend it. The design standards provision makes sense and would have better been included in the ordinance when it was originally passed; the older structures/ shacks viewable from Route 54 south of Hondo Pass attest to this. Expanding to renters is clearly a debilitating provision. I have been a Neighborhood Watch Block Captain since 1993 and a Registered Neighborhood Association President since 2003; the overwhelming preponderance of problems we've encountered from quality of life troubles to criminal issues has come from renters. Moreover, even the City's own agencies have declared their objections to ADUs and cited significant problems in the slide below. These structures simply do not belong in single-family developed neighborhoods to cause inevitable problems for all the adjoining homes.

Thank you.

Glenn Meigel



I represent the G.T. Powers Drive Neighborhood Watch Program/ RNA and did a quick canvass of my block, owing to the short time allotted for reply. Whether or not we can be represented at Thursday's CPC meeting, we are of the consensus that this is an extremely bad idea for this block, the surrounding neighborhood, and El Paso in general. We draw the conclusion that this ordinance would virtually allow large, detached sheds to be put up in the back yards of single family homes, with the resulting, accompanying problems in traffic, parking, noise, sanitation, etc.—a situation which creates problems much the same as multiple families living in single family dwellings do now.

We acknowledge the idea has specific written standards listed on the construction of ADUs. Historically, however, that has not been effective. Once the idea is publicized, people are prone to

throw these shacks up without regard to the City, permits, or any written ordinance and the surrounding neighbors would have to live with the resulting problems. In fact, storage sheds in the past have shown exactly how this proposal would play out: They're now put up without any regard to permits, ordinance, size, height, location, view, property lines, rock walls, privacy, or any other consideration and the City has shown no control over the situation. The circumstances are exacerbated by the fact that any ADU construction would be done in the back yard, out of sight from the street.

Allowing this ordinance and ADUs has future consequences. Potentially, this concept and accompanying problems could grow out of control very quickly considering all the influx of people coming to El Paso from Mexico and other locations, and return of military to El Paso. We don't see how anyone could possibly think that ADUs would improve El Paso's appearance or image, or the value, beauty, and quality of life in our neighborhoods. In conclusion, to paraphrase one good neighbor...*With all the work we do now to try to keep this neighborhood up, why would the City create this problem for us where it never before existed?*

Glenn Meigel  
G.T. Powers Drive Neighborhood Watch Program/ RNA  
755-9694  
[rgmeigel@aol.com](mailto:rgmeigel@aol.com) by email on 26 Jan 11

## Forsyth, Kimberly

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**From:** bulent gurcan [bkgurcan@miners.utep.edu]  
**Sent:** Thursday, March 03, 2011 11:46 AM  
**To:** Forsyth, Kimberly  
**Subject:** RE: accessory buildings

Hpoee you are doing well. You send me some information about me turning my detached garage to a little place for my mother. Thank you so much for that. At the same time you told me that this building and/or living area is to be used only for family members and not for rent. My question is if my mom gets a roommate to help her with her bills and charges somebody to share the house is the process for the permit diffrent or when my mom cannot live alone and wants to goto a retirement home what do I need to do in order to rent the place or the zoning does not allow me to do that?

Please, whenever you have time, send me some information or let me know wherever i can get some info

Thank you for your time

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**From:** ForsythKL@elpasotexas.gov  
**To:** Bkgurcan@miners.utep.edu  
**Date:** Thu, 17 Feb 2011 17:09:27 -0700  
**Subject:** accessory buildings

Here are the regulations pertaining to location and size of accessory structures. Contact the Building Permits and Inspection Division for a building permit. Please feel free to call if you need additional information.

### 20.10.030 - Accessory buildings and structures.

#### A.Residential.

- 1.Residential accessory buildings not over one story or fifteen feet in height must be located in a rear yard, or may be located in a side yard if minimum required side setbacks are maintained. Condensing units for central airconditioning systems shall be no closer than five feet to a lot line.
- 2.Any residential accessory building closer than five feet to a main building shall be considered as part of the main building, shall be located within the buildable area required for a main building, and shall be subject to all applicable restrictions for the main building.
- 3.Residential accessory buildings shall be located not less than sixty feet from the front lot line, a minimum of five feet from the main building, and shall comply with the side and side street yard requirements. No rear yard setback shall be required.
- 4.The gross floor area of a residential accessory building shall not exceed the more restrictive of the following, except that a building with up to four hundred square feet shall be permitted:
  - a.Fifty percent of the gross floor area of the main building; or
  - b.Forty percent of the area of the rear yard.
- 5.A residential private garage or other accessory building may be connected to the main building by a breezeway or connected by a fence or wall up to six feet in height, provided that the breezeway shall not exceed an overall width of five feet and shall be a minimum of seventy-five percent open to the outside on both sides.
- 6.Residential accessory buildings shall be built concurrently with or after the construction of the main building and shall be used only as permitted by this code.
- 7.Where a residential garage entrance is from an alley, the structure must be located at least five feet from the property line.
- 8.In residential, apartment and special districts where community refuse containers are provided, these shall be completely screened from view by fences or walls and have a gate which can be latched open.

*Kimberly L. Forsyth*

Kimberly L. Forsyth, AICP, CNU-A

4/15/2011

## Forsyth, Kimberly

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**From:** Panahi, Georgina M.  
**Sent:** Wednesday, February 09, 2011 4:59 PM  
**To:** Forsyth, Kimberly  
**Subject:** FW: ADUs

Kim,

I wanted to forward you some of the concerns about the enforcement of the ADU's that constituents have brought up. Can you please address this as a concern by District 3 constituents at CPC and Council?

Thank you,  
Georgina M. Panahi  
City of El Paso, District 3  
Legislative Aide  
(915) 541-4572

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**From:** Panahi, Georgina M.  
**Sent:** Wednesday, February 09, 2011 4:56 PM  
**To:** 'Irene Borunda'; 'Servi Hernandez'; Alice Aguirre; Bobby L. Martinez; Bobby Martinez Jr.; Darryl Bucher; Dick Medina; Elena Medina; District #3; Ernest & Pat Marruffo; Frank Nazario; Jim McLaughlin; John Billingslea; Jorge Acosta; CityManager; Melendez, Leila (City Manager's Office); Maria Castanon-Williams; Maria Elena Medrano; Marianne Martinez; Michael Borunda; Olga Cordova; Paul Perez; Raul Martinez; Ray Phillips; Richard Hayes; Rita & Joe Divis; Rob & Jan Brooks; Robert B. Borunda; Susan & Alan Anderson; Susan Tice; Toni Hurt; Vera, Monica E.; virginia Gonzalez; Yvette Bahls; ysims@elp.rr.com; cmartz1@gmail.com; lchavez11@elp.rr.com; jware2729@sbcglobal.net; pianomaker@zianet.com; earlinebbycks@aol.com; gm.sandov@gmail.com; getsemani@quixoteandassociates.com; rcloud@elp.rr.com; nazarioannamaria@sbcglobal.net; msolis@elp.rr.com; cmanuela@sbcglobal.net; teschner@utep.edu; forsythkl@cityofelpaso.gov; gilbertcarrasco@att.net; Mark Benitez  
**Cc:** Acosta, Emma  
**Subject:** RE: ADUs

Ms. Borunda,

Thank you for addressing your concerns regarding the ADU's that will be presented to the City Plan Commission and then to City Council. I will forward your concerns regarding the enforcement of the ADU to the City Department that is working on this effort.

I have also emailed Representative Acosta the concerns that CVNA expressed into 3LM and the action that you would like for her to bring back the 3LM Lease Agreement to City Council. In addition I have put the TABC Court Order that was provided by Ms. Nazario in Representative Acosta's desk to review when she arrives tomorrow evening.

If there are any further issues that have not been addressed please feel free to contact the District 3 Office and we will work to find a solution.

Have a great day,  
Georgina M. Panahi  
City of El Paso, District 3  
Legislative Aide  
(915) 541-4572

**From:** Irene Borunda [mailto:ireneborunda@sbcglobal.net]

**Sent:** Wednesday, February 09, 2011 4:31 PM

**To:** Panahi, Georgina M.; 'Servi Hernandez'; Alice Aguirre; District #1; District #8; Bobby L. Martinez; Bobby Martinez Jr.; District #4; Darryl Bucher; Dick Medina; District #6; Elena Medina; District #3; Ernest & Pat Marruffo; Frank Nazario; Jim McLaughlin; John Billingslea; Jorge Acosta; CityManager; Melendez, Leila (City Manager's Office); Maria Castanon-Williams; Maria Elena Medrano; Marianne Martinez; Michael Borunda; Olga Cordova; Paul Perez; District #5; Raul Martinez; Ray Phillips; Richard Hayes; Rita & Joe Divis; Rob & Jan Brooks; Robert B. Borunda; District #7; Susan & Alan Anderson; Susan Tice; District #2; Toni Hurt; Vera, Monica E.; virginia Gonzalez; Yvette Bahls; ysims@elp.rr.com; cmart1@gmail.com; lchavez11@elp.rr.com; jware2729@sbcglobal.net; pianomaker@zianet.com; earlinebbycks@aol.com; gm.sandov@gmail.com; getsemani@quixoteandassociates.com; rcloud@elp.rr.com; ireneborunda@sbcglobal.net; nazarioannamaria@sbcglobal.net; msolis@elp.rr.com; cmanuela@sbcglobal.net; teschner@utep.edu; forsythkl@cityofelpaso.gov; gilbertcarrasco@att.net; Mark Benitez

**Subject:** Re: ADUs

Thank you Georgina for this information.

**Who is going to check to make sure every ADU is in compliance with code?  
The city for sure, will not do it. We were told several times by the city noise ordinance inspector that "They Do Not Work Overtime".  
Who will be hired to inspect these ADU?**

No need to spend more money on things we do not need. We do need more Policemen. We know there is a shortage of Police. We do need more policemen to be trained. The Juarez Cartels are here, we all know this. This is the safest city? Not sure about that too.

Were you able to find out for me if Emma is going to pull the lease from 1550 Hawkins as she said before the mediation, now that someone has been killed on **City property**? This is her District and she needs to do something about the problems at that corner. We have been complaining to her, City Council and the mayor for over 2 years, I think it is time she does something about the 3 Legged Monkey being a tremendous nuisance in our neighborhood.

The family of the soldier who was killed Monday morning (Alex Gabriel Jaime) will take legal actions against the City (owner of the property where the shooting took place - Hawkins Plaza) you can be sure of that!

The residents of the Cielo Vista neighborhood have boxes of evidence which we have presented to everyone on the 10th floor and they elected to ignore. We will be more than happy to provide the family of this soldier and their attorneys the Information we have. We need to do this for our neighborhood and for our families.

We were told by the city manager, and 3 times by the mayor that they will remove the 3 Legged monkey out of our neighborhood. We presented evidence of what a nuisance this bar has become and they still have not done it. We do expect them to honor their word.....

Again, Georgina, thank you for the information you sent me.

# Irene M. Borunda

-----Original Message-----

**From:** Panahi, Georgina M.

**Date:** 02/09/11 14:41:16

**To:** 'Amarkb49'; District #3

**Cc:** rgmeigel@aol.com; ysims@elp.rr.com; cmartz1@gmail.com; lchavez11@elp.rr.com; jware2729@sbcglobal.net; pianomaker@zianet.com; earlinebbycks@aol.com; gm.sandov@gmail.com; getsemani@quixoteandassociates.com; rcloud@elp.rr.com; ireneborunda@sbcglobal.net; nazarioannamarie@sbcglobal.net; msolis@elp.rr.com; cmanuela@sbcglobal.net; darboosh@yahoo.com; teschner@utep.edu; forsythkl@cityofelpaso.gov; gilbertcarrasco@att.net; 'cmanuela@sbcglobal.net'

**Subject:** ADUs

Mark & Cielo Vista Neighborhood Association members,  
Enclosed you will find the ordinance and presentation for the ADU's that were discussed at your NIA meeting last night. In addition, I have copied the emails that were read last night for your records.

Please remember that we encourage you to provide input at the City Plan Commission Meeting and City Council. If you cannot attend you can always ask that an email or letter be read into the record with your concerns/suggestions. Please let us know if you have any further questions that we could assist with.

Thank you,  
Georgina M. Panahi

City of El Paso, District 3

Legislative Aide

(915) 541-4572

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**From:** Forsyth, Kimberly

**Sent:** Wednesday, February 09, 2011 11:42 AM

**To:** District #3

**Cc:** McElroy, Mathew; Etiwe, Philip F.; Gallinar, Carlos

**Subject:** ADUs

Per your request, Section 20.10.030 contains current code language specific to accessory buildings. Currently accessory units may only house family members, may not be rental units and are connected to the utilities of the main house. Other than size and location, there are no currently design standards.

20.10.030 - Accessory buildings and structures.

A. Residential.

1. Residential accessory buildings not over one story or fifteen feet in height must be located in a rear yard, or may be located in a side yard if minimum required side setbacks are maintained. Condensing units for central airconditioning systems shall be no closer than five feet to a lot line.

2. Any residential accessory building closer than five feet to a main building shall be considered as part of the main building, shall be located within the buildable area required for a main building, and shall be subject to all applicable restrictions for the main building.
3. Residential accessory buildings shall be located not less than sixty feet from the front lot line, a minimum of five feet from the main building, and shall comply with the side and side street yard requirements. No rear yard setback shall be required.
4. The gross floor area of a residential accessory building shall not exceed the more restrictive of the following, except that a building with up to four hundred square feet shall be permitted:
  - a. Fifty percent of the gross floor area of the main building; or
  - b. Forty percent of the area of the rear yard.
5. A residential private garage or other accessory building may be connected to the main building by a breezeway or connected by a fence or wall up to six feet in height, provided that the breezeway shall not exceed an overall width of five feet and shall be a minimum of seventy-five percent open to the outside on both sides.
6. Residential accessory buildings shall be built concurrently with or after the construction of the main building and shall be used only as permitted by this code.
7. Where a residential garage entrance is from an alley, the structure must be located at least five feet from the property line.
8. In residential, apartment and special districts where community refuse containers are provided, these shall be completely screened from view by fences or walls and have a gate which can be latched open.

Also attached is the draft ordinance that was discussed at the CPC on Jan. 27 (with proposed language highlighted in yellow), and the ppt that was used in the presentation. The CPC asked for several changes, and revisions are in process. A revised draft will be distributed when it is complete, which we expect to be 1 - 2 weeks. Please let me know if you need any further information.

*Kimberly L. Forsyth*

Kimberly L. Forsyth, AICP, CNU-A  
Zoning Administrator  
Planning & Economic Development  
City of El Paso, Texas

Phone: (915) 541-4668 Fax: (915) 541-4725  
[forsythkl@elpasotexas.gov](mailto:forsythkl@elpasotexas.gov)

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**From:** Forsyth, Kimberly  
**Sent:** Tuesday, February 08, 2011 4:02 PM  
**To:** District #3  
**Subject:** ADUs

Definitions:

"Accessory dwelling unit" means an accessory building that is intended to be used as a dwelling unit.

"Accessory building" means a detached subordinate building or other structure, the use of which is clearly incidental to or customarily found in connection with and located on the same lot as the main building or principal use of the land.

Included in the proposed amendment are regulations and limitations on size, placement and location on the lot.

*Kimberly L. Forsyth*

Kimberly L. Forsyth, AICP, CNU-A  
Zoning Administrator  
Planning & Economic Development  
City of El Paso, Texas

Phone: (915) 541-4668 Fax: (915) 541-4725  
[forsythkl@elpasotexas.gov](mailto:forsythkl@elpasotexas.gov)

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**From:** Forsyth, Kimberly  
**Sent:** Tuesday, February 08, 2011 1:40 PM  
**To:** 'amarkb49@aol.com'  
**Cc:** District #3; Lastra, Karla  
**Subject:** RE: ADU Sheds

Hello, Mr. Benitez,

Planning was directed to draft an amendment to the zoning code that would allow accessory dwelling units, as part of a comprehensive city-wide Smart Growth plan approved by City Council on Nov. 16, 2010 (Item 16.1D). A list of priority tasks was developed by senior management and assigned to various departments. Over the next 12 months, several code amendments will be brought forward to the CPC and the City Council for review. As each amendment is researched and drafted, the staff will provide them to neighborhood associations as well as industry groups and other stakeholders for input.

This amendment was initially presented to the CPC on Jan. 27, 2011. There was considerable discussion and the CPC took no action, but requested some additions and changes. Revisions are in progress and a revised draft will probably be presented to CPC on Feb. 24. As soon as the revised draft is complete we will distribute again to the neighborhood and industry groups. I encourage the neighborhoods to provide input, which we will include in the presentations, and to attend the meetings if they are able.

Let me know if you have additional questions or would like further information.

*Kimberly L. Forsyth*

Kimberly L. Forsyth, AICP, CNU-A  
Zoning Administrator  
Planning & Economic Development  
City of El Paso, Texas

Phone: (915) 541-4668 Fax: (915) 541-4725

## Forsyth, Kimberly

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**From:** Lastra, Karla  
**Sent:** Tuesday, February 08, 2011 11:01 AM  
**To:** Forsyth, Kimberly  
**Cc:** District #3  
**Subject:** FW: ADU Sheds  
**Attachments:** ADU Sheds

Ms. Forsyth,

Below are the concerns Mr. Benitez relayed to our office regarding the ADU Sheds. Could you please update him on the status of issue?

Karla Lastra  
City of El Paso, District 3  
V.O.E  
(915)541-4572

---

**From:** Amarkb49 [mailto:amarkb49@aol.com]  
**Sent:** Tuesday, February 08, 2011 10:04 AM  
**To:** District #3  
**Cc:** rgmeigel@aol.com; ysims@elp.rr.com; cmartz1@gmail.com; lchavez11@elp.rr.com; jware2729@sbcglobal.net; pianomaker@zianet.com; earlinebbycks@aol.com; gm.sandov@gmail.com; getsemani@quixoteandassociates.com; rcloud@elp.rr.com; ireneborunda@sbcglobal.net; nazarioannamarie@sbcglobal.net; msolis@elp.rr.com; cmanuela@sbcglobal.net; darboosh@yahoo.com; teschner@utep.edu; forsythkl@cityofelpaso.gov; gilbertcarrasco@att.net  
**Subject:** Fwd: ADU Sheds

Good Morning Ms. Acosta,

We have received a lot of comments concerning the above subject. I am forwarding one that represents what many of us feel. Overwhelmingly, we are not in favor of this ordinance.

Why is the City moving on this and who is leading this effort? I believe they had a meeting planned last Thursday but due to the weather it was canceled. I will be contacting Kimberly Forsyth to get an update as well.

Any information you can provide would be appreciated. Thanks.

Mark Benitez  
Chairman-NCOEP  
204-7980

**Forsyth, Kimberly**

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**From:** Rgmeigel [Rgmeigel@aol.com]  
**Sent:** Wednesday, January 26, 2011 4:37 PM  
**To:** Forsyth, Kimberly  
**Subject:** ADU Sheds

I represent the G.T. Powers Drive Neighborhood Watch Program/ RNA and did a quick canvass of my block, owing to the short time allotted for reply. Whether or not we can be represented at Thursday's CPC meeting, we are of the consensus that this is an extremely bad idea for this block, the surrounding neighborhood, and El Paso in general. We draw the conclusion that this ordinance would virtually allow large, detached sheds to be put up in the back yards of single family homes, with the resulting, accompanying problems in traffic, parking, noise, sanitation, etc.—a situation which creates problems much the same as multiple families living in single family dwellings do now.

We acknowledge the idea has specific written standards listed on the construction of ADUs. Historically, however, that has not been effective. Once the idea is publicized, people are prone to throw these shacks up without regard to the City, permits, or any written ordinance and the surrounding neighbors would have to live with the resulting problems. In fact, storage sheds in the past have shown exactly how this proposal would play out: They're now put up without any regard to permits, ordinance, size, height, location, view, property lines, rock walls, privacy, or any other consideration and the City has shown no control over the situation. The circumstances are exacerbated by the fact that any ADU construction would be done in the back yard, out of sight from the street.

Allowing this ordinance and ADUs has future consequences. Potentially, this concept and accompanying problems could grow out of control very quickly considering all the influx of people coming to El Paso from Mexico and other locations, and return of military to El Paso. We don't see how anyone could possibly think that ADUs would improve El Paso's appearance or image, or the value, beauty, and quality of life in our neighborhoods. In conclusion, to paraphrase one good neighbor... *With all the work we do now to try to keep this neighborhood up, why would the City create this problem for us where it never before existed?*

Glenn Meigel  
G.T. Powers Drive Neighborhood Watch Program/ RNA  
755-9694  
[rgmeigel@aol.com](mailto:rgmeigel@aol.com)

**Forsyth, Kimberly**

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**From:** unajj@att.net  
**Sent:** Wednesday, January 26, 2011 3:52 PM  
**To:** Forsyth, Kimberly  
**Subject:** ADU Comments

Hello Ms. Forsyth

I would recommend a statement in the ordinance that keeps the ADU from using set aside utility easements that are found sometimes within the legal property boundaries. I have seen this happen in the neighborhood where I live. This problem may not occur in newer developments but can occur in the older neighborhoods.

JJ  
United Neighborhood Association

## Forsyth, Kimberly

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**From:** Jim H. Tolbert [jimhtolbert@elp.rr.com]  
**Sent:** Wednesday, January 26, 2011 10:46 AM  
**To:** Villanueva, Terry  
**Cc:** Forsyth, Kimberly; Alvarado, Mark M.  
**Subject:** RE: NEIGHBORHOOD ASSOCIATIONS #2

Thanks. No comment from Newman Park Neighborhood Association.

Jim H. Tolbert  
President  
Newman Park Neighborhood Association  
915-525-7364  
jimhtolbert@elp.rr.com  
[www.newmanpark.blogspot.com](http://www.newmanpark.blogspot.com)

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**From:** Villanueva, Terry [mailto:VillanuevaTX@elpasotexas.gov]  
**Sent:** Monday, January 24, 2011 5:17 PM  
**Cc:** Forsyth, Kimberly; Alvarado, Mark M.  
**Subject:** FW: NEIGHBORHOOD ASSOCIATIONS #2

FYI

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Hello! The Planning & Economic Development staff are drafting some changes to the zoning code to allow for accessory dwelling units, as part of the City's Smart Growth Initiatives and as directed by the City Manager's office. We are emailing the draft to all of the NAs for their review and comment. We have been given a very short timeline and the first public hearing is this Thursday (CPC).

This is still in draft form and we are still incorporating comments. New text is highlighted in yellow. My contact information is below, please feel free to call or email me, and to attend the CPC meeting for additional information. Thank you!

*Kimberly L. Forsyth*

Kimberly L. Forsyth, AICP, CNU-A  
Zoning Administrator  
Planning & Economic Development  
City of El Paso, Texas

Phone: (915) 541-4668 Fax: (915) 541-4725  
[forsythkl@elpasotexas.gov](mailto:forsythkl@elpasotexas.gov)