

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: May 7, 2013
Public Hearing: June 4, 2013

CONTACT PERSON/PHONE: Alex Hoffman, (915) 541-4638, hoffmanap@elpasotexas.gov

DISTRICT(S) AFFECTED: All

SUBJECT:

An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Article II Definitions of the El Paso City Code to amend the definition of transitional housing and to allow for the expiration of special permits for transitional homes. The penalty is as provided for in Chapter 20.24 of the El Paso City Code (All Districts)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) Pending – scheduled May 30, 2013

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Director, City Development Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS), ARTICLE II DEFINITIONS OF THE EL PASO CITY CODE TO AMEND THE DEFINITION OF TRANSITIONAL HOUSING AND TO ALLOW FOR THE EXPIRATION OF SPECIAL PERMITS FOR TRANSITIONAL HOMES. 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 was adopted to promote the health, safety, morals and general welfare of the community;

WHEREAS, it is necessary to amend the definition of “Transitional Housing” to clarify the type of housing and services permitted and to allow special permits issued for “Transitional Housing” to expire;

WHEREAS, the City Council has determined that the uses permitted in Transitional Housing vary with regard to the impact on the surrounding neighborhood and should be evaluated as the type of housing and services change;

WHEREAS, the City Council has determined that the best way to consider the appropriateness of the uses is to limit a special permit granted for Transitional Housing to the use in place at the time the special permit is granted;

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 General Provisions and Definitions, TITLE II Definitions, Section 20.02.115 Transitional Housing of the El Paso City Code is deleted in its entirety and replaced with the following:

Transitional Housing: a facility that provides temporary housing and appropriate supportive services to four (4) or more persons, in order to facilitate their transition to independent living and a more permanent form of housing. This use includes, but is not limited to, housing for:

- 1) Victims of domestic violence;
- 2) Homeless women and children;
- 3) Homeless families;
- 4) Homeless men;
- 5) Halfway houses;

- 6) Runaway shelters,
- 7) Drug addiction and recovery centers.

All special permits issued for Transitional Housing shall expire without any further action by the City Council when: the use for which the permit was issued changes to another use; the facility ceases to operate for 120 days or more; the facility has a change in ownership; or the occupancy changes. For example, if a special permit was issued to provide Transitional Housing for women and children, and the facility changes to one offering housing and services to homeless men, the previously granted special permit will expire and a new special permit will be required.

SECTION 2. Except as expressly herein amended, Title 20, Zoning, Chapter 20.02 General Provisions, of the El Paso City Code shall remain in full force and effect.

SECTION 3. Except as expressly herein amended, Title 20, Zoning, Chapter 20.24 Enforcement Provisions of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS _____ DAY OF _____ 2013.

CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Karla M. Nieman
Assistant City Attorney

Matthew S. McElroy, Director
City Development Department

MEMORANDUM

DATE: April 30, 2013

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Alex Hoffman, Lead Planner

SUBJECT: **Transitional Housing Definition Amendments**

This amendment is pending consideration by the City Plan Commission (CPC) - scheduled May 30, 2013