



## **AGENDA MEMORANDUM**

Public Hearing and First Reading for the City Council Meeting of July 25, 2017  
Second Reading Ordinance for the City Council Meeting of August 8, 2017

**DATE:** June 29, 2017

**TO:** Margie C. Rose, City Manager

**FROM:** Daniel McGinn, AICP, CFM, Assistant Director, Planning and ESI  
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Proposed Amendments to the Unified Development Code Codifying Community Home use.

### **CAPTION:**

Ordinance amending the Unified Development Code to codify Community Home use in residential districts; providing for severance; providing for penalty; providing for publication; and effective date.

### **PURPOSE:**

The purpose of this item is to clarify Community Home uses in the regulations of the Unified Development Code (UDC) to ensure compliance with the Texas Human Resource Code §123.003 (a). A Community Home is defined as a place where food, shelter, personal guidance, care, habitation services, and supervision are provided to not more than six persons with a disability.

### **BACKGROUND AND FINDINGS:**

The Unified Development Code (UDC) became effective July 1, 2011. As part of the continued improvement to address the City's development needs staff has presented several text amendments that have been approved by the Planning Commission and City Council since the adoption of the UDC. To ensure compliance with State law, staff proposes the following new text amendments:

#### **1. Subsection 1.11.3 Defined Terms:**

Adding the definition of **Community Home**: A place where food, shelter, personal guidance, care, habitation services, and supervision are provided to not more than six persons with a disability and meets the requirements and limitations of the Community Homes for Disabled Persons Location Act, Chapter 123, Texas Human Resources Code.

## 2. Article 4, Table 4.3.2 and Table 4.4.2:

Adding Community Home as a permitted use in all Single-Family and Multifamily districts to the Permitted Uses Tables. Community Home use is permitted in Commercial districts that permit Group Living uses by right.

## 3. Section 5.2 Specific Standards:

Adding new subsection **5.2.26 Community Homes**, to define standards for Community Home uses in all districts.

- A. **Use:** The use and operation of a Community Home for Disabled Persons that meet the requirements of the Community Homes for Disabled Persons Location Act, Chapter 123 Texas Human Resources Code is authorized in any residential zoning district.
- B. **Limitation on Number of Residents:** No more than six persons with disabilities and two supervisors.
- C. **License Requirements:** as established in the Community Homes for Disable Persons Location Act, Chapter 123, Texas Human Resources Code.
- D. **Location Requirement:** Within a residential zoning district, a Community Home may not be established within one-half mile of an existing Community Home.
- E. **Limitation on the Number of Motor Vehicles:** no more than one motor vehicle per bedroom.

### **ALTERNATIVES:**

Denial or alteration of the proposed text amendments.

### **OTHER CONSIDERATIONS:**

Not Applicable

### **CONFORMITY TO POLICY:**

The proposed text amendments conform to City policy.

### **EMERGENCY /NON-EMERGENCY:**

Non-emergency

**DEPARTMENTAL CLEARANCES:**

Legal, Development Services, Planning and ESI, Planning Commission - recommended approval on June 14, 2017

**FINANCIAL IMPACT:**☐ Operating☐ Revenue☐ Capital☒ Not applicable

<b>Fiscal Year: 2016-2017</b>	<b>Project to Date Expenditures (CIP only)</b>	<b>Current Year</b>	<b>Future Years</b>	<b>TOTALS</b>
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

**Comments:** None

**RECOMMENDATION:**

Staff recommends approval of the amendments.

**LIST OF SUPPORTING DOCUMENTS:**

Ordinance

Presentation