

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

**DEPARTMENT:** Planning and Economic Development Department, Planning Division

**AGENDA DATE:** Introduction: May 1, 2012  
Public Hearing: May 29, 2012

**CONTACT PERSON/PHONE:** Arturo Rubio, (915) 541-4633, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

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

**SUBJECT:**

An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.080 (Animal facilities, animal kennel, animal training facility, veterinary treatment center, clinic or hospital), Appendix A (Table of Permissible Uses) of the El Paso City Code to allow Animal facilities, animal kennel, animal training facility, veterinary treatment center, clinic or hospital in M-1 (Light Manufacturing Zone District). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

The proposed amendment encourages animal facilities in M-1 zone district to provide flexibility of uses in Industrial areas in support of Plan El Paso Future Land Use.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Pending Review

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

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

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

**DEPARTMENT HEAD:**

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

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**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) SECTION 20.10.080 (ANIMAL FACILITIES, ANIMAL TRAINING FACILITY, VETERINARY TREATMENT CENTER, CLINIC OR HOSPITAL), AND APPENDIX A (TABLE OF PERMISSIBLE USES) OF THE EL PASO CITY CODE TO ALLOW ANIMAL FACILITIES, ANIMAL TRAINING FACILITY, VETERINARY TREATMENT CENTER, CLINIC OR HOSPITAL IN M-1 (LIGHT MANUFACTURING ZONE DISTRICT). 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; and

**WHEREAS**, currently there are no provisions in the zoning ordinance to allow for animal facilities in the M-1 (Light Manufacturing Zone District); and,

**WHEREAS**, the City has determined that such uses should be allowed in M-1; 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 20.10, Supplemental Use Regulations, Section 20.10.080 Animal Facilities, (animal kennel, animal training facility, veterinary treatment center, clinic or hospital), of the El Paso City Code is amended as follows:

1. Paragraph A, subparagraph 2 is amended as follows:

A. Kennels and animal training establishments are permitted when in compliance with Title 7 of this code and the following conditions:

2. In C-2, C-3, C-4 and M-1 zoning districts:

- a. All animals are housed inside a permitted structure,
- b. No open pens are provided or used,
- c. No building, structure or open area (except space for parking of employee and customer automobiles) shall be used for this use unless it is at least three hundred feet from the nearest residential or apartment district or use,
- d. A means of mechanical air exchange is provided for all permitted structures, and
- e. No outside runs are permitted.

2. Paragraph B, subparagraph 2, is amended as follows:

B. Small animal veterinary hospitals or clinics are permitted when in compliance with Title 7 of this code and the following conditions:

2. In C-2, C-3, C-4 and M-1 zoning districts:
  - a. All animals are housed inside a permitted structure,
  - b. No open pens are provided or used,
  - c. No building, structure or open area (except space for parking of employee and customer automobiles) shall be used for any hospital or clinic purpose unless it is at least one hundred fifty feet from the property line of any residential or apartment use at the time the hospital or clinic use is established,
  - d. A means of mechanical air exchange is provided for all permitted hospital or clinic structures, and
  - e. No outside runs are permitted.

3. Paragraph C, is amended as follows:

C. Small or large animal veterinary hospitals or clinics in the R-F zoning district, and large animal hospitals or clinics in the C-4 and M-1 zoning districts with a special permit approved by city council, must comply with Title 7 of this code, and the following conditions:

1. Lot area shall be a minimum of one acre with a minimum average lot width of two hundred feet,
2. No building, structure, open pen or corral (except open space for parking of employee and customer automobiles) shall be used for any hospital or clinic purpose unless it is at least one hundred fifty feet from the nearest residential or apartment district or use at the time the hospital or clinic use is established, and
3. A means of mechanical air exchange is provided for all hospital or clinic structures.

**SECTION 2.** 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 \_\_\_\_\_ 2012.

CITY OF EL PASO:

ATTEST:

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John F. Cook, Mayor

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Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

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Mathew McElroy,  
Deputy Director  
Planning & Economic Development

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Lupe Cuellar  
Assistant City Attorney

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