



**Ordinance Amendment
Staff Report**

Planning & Zoning Commission Public Hearing Date: June 10, 2024
City Council Public Hearing Date: June 17, 2024

Case: OAM24-02

Applicant: City of Tomball

Sections: MODIFY: Chapter 50-Zoning, Article I. In General, Section 50-2-Definitions and Article III. District Regulations, Section 50-82-Use regulations (charts), Subsection (b) Use charts.

Subject: Replace “Sheltered care facility” definition with “Boarding home facility” definition. Update the use charts by replacing “Sheltered care facility” with “Boarding home facility”.

Background

City Staff identified a land use in Chapter 50-Zoning that is not defined consistently with the recently adopted Boarding Home Regulations, within Chapter 22, Article VIII of the Tomball Code of Ordinances and Section 260.001 of the State of Texas Health and Safety Code. For consistency, the “Sheltered care facility” land use is proposed to be replaced with “Boarding home facility” land use. This amendment includes modifying Article I. In General, Section 50-2 Definitions and Article III. District Regulations, Section 50-82-Use regulations (charts), Subsection (b) Use charts.

Notice of Public Hearing:

A public hearing notice was published in the Potpourri on May 22, 2024.

Proposed Ordinance Amendments:

Code of Ordinance Sections:

Chapter 50-Zoning-Article I. In General, Section 50-2 Definitions

Add:

Boarding home facility – An establishment that furnishes, in one or more buildings, lodging to three or more persons with disabilities or elderly persons who are unrelated to the owner of the establishment by blood or marriage; and provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration or medication but does not provide personal care services to those persons.

Delete:

~~Sheltered care facility means a nonprofit or for profit boardinghome for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.~~

Chapter 50-Zoning-Article III. District Regulations, Section 50-82-Use regulations (charts), Subsection (b) Use charts.

Modify:

P	Designates use permitted in the zoning district indicated
(Blank)	Designates use prohibited (i.e., not allowed) in the zoning district indicated
C	Designates use may be permitted in the zoning district indicated by a CUP (also see section 50-81)
‡	The land use is defined within section 50-2

Types of Land Uses	Residential Zoning Districts									Nonresidential Zoning Districts						Parking ratio
	AG	SF-20-E	SF-9	SF-6		D	MF	MHP	O	GR		C	LI	OT&MU		
Institutional/Government																
Sheltered care facility ‡ Boarding home facility							C				C		C	C	C	1 space per three beds or 1.5 per dwelling

Recommendation

City Staff recommends approval of OAM24-02.