



Public Hearing

Development Code Text Amendments

Hold a public hearing and consider a recommendation to the City Council regarding text amendments to the San Marcos Development Code, that would implement changes related to posted notice requirements for Certificates of Appropriateness and changes related to regulations regarding demolition by neglect; and provide direction to Staff. (A. Brake)



Overview of Proposed Amendments

- Posted Notice for Certificate of Appropriateness Requests
- Demolition by Neglect Changes

Process

- Council Initial Authorization – July 6, 2021 (*Approved*)
- Historic Preservation Commission Update – September 2, 2021 (*Recommended Approval*)
- Planning and Zoning Commission Public Hearing – September 28, 2021 (*Recommended Approval*)
- City Council Public Hearing – October 19, 2021 (*Today*)
- City Council Reconsideration – November 3, 2021



#1

Posted Notice for Certificate of Appropriateness (COA) Requests

Table 2.1 Development Applications, Decision Authority, and Notice Requirements Table

Purpose: Updates the Table to clearly show posted notice is required for COA requests

❖ Changes the N to a Y



TABLE 2.1 DEVELOPMENT APPLICATIONS, DECISION AUTHORITY, AND NOTICE REQUIREMENTS TABLE											
APPROVAL PROCESS	CITATION	REVIEW AND APPROVAL AUTHORITY							NOTICE		
		RESPONSIBLE OFFICIAL	STAFF	HISTORIC PRESERVATION COMMISSION	NEIGHBORHOOD PRESENTATION	ZONING BOARD RE-ADJUSTMENTS	PLANNING COMMISSION	CITY COUNCIL	APPLICATION NOTICE	PUBLISHED NOTICE	POSTED NOTICE
Replat without Vacation	Section 3.3.2.1	P	R				D/PH		Y	Section 3.3.3.1	N
Certificate of Appropriateness	Section 2.5.5.1	P	R	D/PH		A			N	Y	Y
Qualified Watershed Protection Plan	Section 2.6.1.1	E	R				D/PH	A	N	Y	N
Variance	Section 2.8.2.1	P	R			D/PH			N	Y	N
Alternative Compliance	Section 2.8.4.1	P	R				R/PH	A	N	Y	N
Alternative Compliance - Council Approved	Section 2.8.4.1	P	R				R/PH	D/PH	N	Y	N
Change in status of nonconforming uses or structures	Section 1.5.1.9	P	R			D/PH			N	Y	N
ADMINISTRATIVE											



#2

Posted Notice for Certificate of Appropriateness (COA) Requests

Section 2.5.5.3(A)(2) Approval Process: Responsible Official Action

Purpose: To add a requirement for posted notice of public hearings for Certificates of Appropriateness

❖ Adds the words “and posted notice”



#3

Demolition by Neglect

Section 4.5.2.1(N)(2)

Purpose: To remove the requirement for only bringing one property under consideration per quarter.

#4

Section 4.5.2.1(N)(3)(b)

Purpose: To add in the requirement to send certified mail to a property owners when citing Demolition by Neglect



Recommendation

Staff provides these amendments to the Commission and recommends **approval** as presented.