



Legislation Text

File #: Ord. 2021-88, **Version:** 1

AGENDA CAPTION:

Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2021-88, amending Table 2.1 and Section 2.5.5.3(A)(1) to require posted notice of a Public Hearing before the Historic Preservation Commission regarding a request for a certificate of appropriateness; amending Section 4.5.2.1(N)(2) to eliminate the limitation of allowing only one demolition by neglect case to be considered per quarter; and amending Section 4.5.2.1(N)(3) to require notice by certified mail to the owner of a property being cited for demolition by neglect, including procedural provisions; providing for the repeal of any conflicting provisions; and declaring an effective date; and consider approval of Ordinance 2021-88, on the first of two readings.

Meeting date: October 19, 2021

Department: Planning & Development Services

Amount & Source of Funding

Funds Required: N/A

Account Number: N/A

Funds Available: N/A

Account Name: N/A

Fiscal Note:

Prior Council Action: City Council provided initial authorization of these amendments at their July 6, 2021 City Council meeting.

City Council Strategic Initiative:

N/A

Comprehensive Plan Element (s):

- ☐ Economic Development
- ☐ Environment & Resource Protection
- ☐ Land Use
- ☐ Neighborhoods & Housing
- ☐ Parks, Public Spaces & Facilities
- ☐ Transportation
- ☐ Core Services
- ☒ Not Applicable

Master Plan:

Vision San Marcos - A River Runs Through Us

Background Information:

At prior Historic Preservation Commission and City Council meetings, staff was provided direction to update standards related to posted notice for Certificate of Appropriateness requests along with regulations regarding demolition by neglect. A redline of the Development Code reflecting the proposed amendments along with a table with details on the reason for each amendment is included in the packet. A summary of amendments is as follows:

- **Posted Notice for Certificate of Appropriateness Requests:** update Table 2.1 to clearly show posted notice is required and add requirement to Section 2.5.5.3(A)(2)
- **Demolition by Neglect:** remove requirement for only bringing one property under consideration per quarter and add a requirement to send certified mail to property owners when citing a property with Demolition by Neglect

Development Code Process Summary:

- City Council provides initial authorization to further consider or alternatively, reject the proposal (*Approved at the July 6, 2021 meeting*)
- Planning & Zoning Commission considers the amendments and recommends approval, approval with conditions, or denial of the text amendments (*September 28, 2021*)
- City Council holds a public hearing and first reading of ordinance (*October 19, 2021*)
- City Council holds second reading of ordinance (*November 3, 2021*)

Council Committee, Board/Commission Action:

While not part of the regular process for amending the development code, staff presented the proposed HPC related amendments to the Commission at their September 2, 2021 regular meeting, the Historic Preservation Commission recommended **approval** of the proposed text amendments with a 6-0 vote.

At the September 28, 2021 regular meeting, the Planning and Zoning Commission recommended approval of the proposed amendments with a 9-0 vote. No discussion was held.

Alternatives:

Recommendation:

Staff recommends **approval** of the proposed Development Code text amendments as presented.