NJH: 1-29-04
Item No. 47

AN ORDINANCE 98772

AMENDING CHAPTER 35, ARTICLE IV, SECTION 35-403, NOTICE PROVISIONS AND TABLE 403-1 TO REQUIRE WRITTEN NOTICE TO ADJOINING PROPERTY OWNERS AND NEIGHBORHOOD ASSOCIATIONS WHEN A PUBLIC HEARING REGARDING DEMOLITION OF A HISTORIC LANDMARK OR POTENTIAL HISTORIC LANDMARK IS SCHEDULED BEFORE THE HISTORIC DESIGN AND REVIEW COMMITTEE AND MAKING ADMINISTRATIVE CORRECTIONS.

* * * * *

WHEREAS, the City seeks to preserve, protect, and enhance historically, culturally, architecturally, and archaeologically significant sites and structures which impart a distinct aspect to the city; and

WHEREAS, the City promotes the economic prosperity and welfare of the community by conserving the fabric and integrity of historic neighborhoods; and

WHEREAS, the City seeks to strengthen civic pride through neighborhood preservation; and

WHEREAS, the City recognizes the importance of neighborhood involvement in the historic designation process; and

WHEREAS, the City Council has carefully reviewed and desires to adopt the Neighborhood Input Policy; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 35, Article IV, Section 35-403(b) and Table 403-1 are amended as follows:

35-403 Notice Provisions

(b) Contents of Notice

The notice shall state the time, date and place of hearing and a description of the property subject to the application. The notice shall include ~~which includes~~, at a minimum, the following:

- The street address or, if the street address is unavailable, the legal description by metes and bounds, or a general description of the location of the property, either using block numbers, nearby street intersections or approximate distance from street intersections;
- The current zoning classification, if any; and

- The category of permit requested and a brief description of the proposed development including Density or Building Intensity, revised zoning classification (if any), and uses requested.

In Table 403-1, the method for providing notice is provided in Column (A) and the types of permits affected are set forth in Columns (B) through (L) ~~(F)~~. In Table 403-1, an asterisk (*) indicates that the type of notice prescribed in Column (A) is required for the category of Development Order prescribed in Columns (B) through (L) ~~(F)~~, while a dash (-) indicates that the notice is not required.

Table 403-1
Notice Requirements

(A)	*(B)*	*(C)*	*(D)*	*(E)*	*(F)*	*(G)*	*(H)*	*(J)*	*(K)*	*(L)*
Type of notice	*Amendments to Master Plan or this Chapter*	*Rezoning*	*Master Development Plan*	*Appeals to Board of Adjustment*	*Variances from Board of Adjustment*	*Subdivision Plat, Major*	*Subdivision Plat, Minor*	*Certificate of Appropriateness*	*Permits, Orders or Approvals not Mentioned Requiring Public Hearing*	*Request for Demolition of a Historic Landmark or Potential Historic Landmark*
Publication: Publication in an official newspaper of general circulation before the 15th day before the date of the hearing.	*	*	--	*	*	*	--	--	*	--
Mail: Before the 10th day before the hearing date, written notice of the public hearing shall be sent	--	*(2)(3) ~~(4)~~	*(2) ~~(3)~~	*(2)(3) ~~(4)~~	*(2)(3) ~~(4)~~	*(2)~~(3)~~	--	--	*(3) ~~(4)(5)~~	*(2)(3)
Internet: Post a copy of the notice on the City's Internet website until the proceeding has been completed.	*	*~~(1)~~	*	*	*	*	*	*	*	*
Signage: Post a sign on the property subject to the Application Signs to be installed and provided by the City~~(1)(3)~~	--	*(4) ~~(1)(6)~~	--	--	--	--	--	*	--	*

Notes:

~~(1) Effective if passed by a 2/3 majority of the City Council pursuant to VTCA Local Government Code § 211.007(d) and if the City Council and Zoning Commission conduct a joint hearing.~~

(1) The sign shall measure not less than 18" X 24" inches and shall contain –
- City's name,
- Zoning ~~Rezoning~~ Case #___ or HDRC Case #____,
- Name of Case Manager, and
- Contact telephone number.

The sign shall be constructed of corrugated plastic sign stock and shall be in a highly visible florescent style color with contrasting colors. Lettering shall be a block font in as large a type as permitted by the sign size.

(2) Notice shall be sent to Registered Neighborhood Associations within 200 feet of the project.

(3) Notice shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property. Notice for Zoning Cases shall be sent prior to the 15th day before the date of the public hearing at the Zoning Commission. Notice for Demolition Applications shall be sent prior to the 7th day before the date of the public hearing at the Historic Design and Review Commission.

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Notice for Plat Applications shall be sent in accordance with Chapter 212 of the TEXAS LOCAL GOVERNMENT CODE (~~only~~ if a replat requires a public hearing and notice) ~~with required notice~~.

(4) The requirement for the posting of signs on individual lots and properties shall be waived for city initiated area-wide rezoning consisting of six or more individual lots. However, signs will be placed at the general location of the boundary of the area-wide zoning project and its intersection with major arterial and collector streets that provide ingress/egress to the area subject to rezoning.

SECTION 2. This ordinance shall take effect on February 8, 2004.

PASSED AND APPROVED this the 29th day of January, 2004.

M A Y O R

EDWARD D. GARZA

ATTEST: Yolanda L. Ledesma

CITY CLERK

APPROVED AS TO FORM: Herbert R. Hardin for

City Attorney