



**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

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16 NOV -1 PM 4: 07

TO: Mayor and City Council
FROM: Roberto Treviño, Councilmember District 1
COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Martha G. Sepeda, Acting City Attorney; John Peterek, Assistant to the City Manager; Christopher Callanen, Assistant to City Council
SUBJECT: Preservation of Historic Structures and Neighborhood Character
DATE: 1st November 2016

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

A proposal to establish reasonable penalties for the demolition without an approved permit of a designated historic structure, whether individually landmarked or within a Historic District, or a non-accessory structure in a Neighborhood Conservation District.

Brief Background

San Antonio's many Historic Districts, Neighborhood Conservation Districts, and Historic Landmarks are collectively a cultural and architectural jewel of the city. Our City Code has substantial protections against demolition by neglect of historic structures, but very few protections against intentional demolition without permit of either historic structures or structures in Neighborhood Conservation Districts. A property owner who illegally demolishes a structure in an NCD is required only to pay the cost of the permit, a \$50 fee for a review by the Office of Historic Preservation, and a fine equal to the initial permit cost. For a structure with historic protections, the penalty is the same except that the property owner is required to go before the Historic and Design Review Commission for a certificate of appropriateness and pay the already-required demolition fee as described in Section 35-614(e) of the Unified Development Code. These penalties are limited in scope and do not represent a significant expense beyond the requirements of proper demolition with a permit. Unscrupulous property owners who expect to be denied a permit may therefore choose to illegally demolish a protected structure and make their case after the fact, at little cost to themselves. An additional cost for illegal demolition, whether through monetary fees or other means such as the five-year stay on new construction imposed in cases of demolition by neglect, should be explored to deter illegal demolition of San Antonio's cultural and architectural treasures.



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Neighborhood Conservation Districts are distinct from Historic Districts, and it should be recognized that there are no special limitations on demolition of non-historic structures in NCDs. Nevertheless, demolition in an NCD represents a loss of architectural context for the remainder of the District and should proceed through proper channels only. Additional penalties for demolition without a permit in NCDs should therefore be explored independently of penalties established for historic structures.

Submitted for Council consideration by:

Councilman Roberto C. Treviño, District 1

Supporting Councilmembers' Signatures (4 only)

District

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