



**Antonio Araujo**  
Mayor

**Leticia Miranda**  
Alderson Place 1

**David Cantu**  
Alderson Place 2

**Lorenzo E. Leyva Sr.**  
Alderson Place 3

**Maria Covernali**  
Alderson Place 4

**George Almanzar**  
Alderson Place 5

### **ORDINANCE NO. 1915.10.02**

**AN ORDINANCE OF THE CITY OF SAN ELIZARIO, TEXAS AMENDING ORDINANCE NO. 1615.10, TO PROVIDE FOR THE ADMINISTRATIVE REVIEW AND APPROVAL OF CERTAIN TYPES OF CERTIFICATES OF APPROPRIATENESS IN A HISTORIC DISTRICT; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY; EFFECTIVE DATE AND PROPER NOTICE AND MEETING.**

#### **RECITALS**

**WHEREAS,** the City Council of the City of San Elizario adopted Ordinance No. 1615.10 on April 12, 2016 to establish the Historic Preservation Ordinance, based on the City's authority under the law as stated in that Ordinance; and

**WHEREAS,** the City wishes to streamline its processes and procedures to the greatest extent possible and appropriate; and

**WHEREAS,** the City of Socorro has adopted a color palette for the painting and repainting of structures in their adjoining historic district, and the City Council believes that recognizing the appropriateness of this color palette will promote the continuity of the historic districts as well as to streamline City processes and procedures for San Elizario residents; and

**WHEREAS,** the City Council finds that the colors within the City of Socorro color palette, as established on the date of the adoption of this ordinance and maintained in the office of the HPO or City Clerk, constitute colors compatible with the City's historic district(s).

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of San Elizario:

**ARTICLE I. FINDINGS OF FACT**

The foregoing recitals are adopted as facts and are incorporated fully herein.

**ARTICLE II. ADOPTION AND ENACTMENT**

The City Council of the City of San Elizario hereby adopts and enacts this second amendment to the Historic Preservation Ordinance, contained in *Attachment A*, amending Section 3.5 C by adding a new subsection 8, as attached hereto and incorporated fully herein. Except as herein amended, all other provisions of Ordinance No. 1615.10, and Ordinance No. 1915.10.01 also amending Ordinance No. 1615.10, shall remain in full force and effect.

**ARTICLE III. REPEALER AND SEVERABILITY**

**REPEALER:** All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein; and further that to the extent that the provisions in this Ordinance, as amended, conflict with any of the provisions in Resolution No. 1606R.02, Section II 3, the provisions of this Ordinance shall control effective October 24, 2019 and the provisions of this Ordinance shall thereafter govern the appointment of the members of the San Elizario Historical Landmark Commission; provided however, this provision shall not preclude the holding over in office of such members until they are reappointed or replaced.

**SEVERABILITY:** Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**ARTICLE IV. EFFECTIVE DATE**

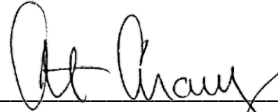
This Ordinance shall be effective immediately upon passage.

**SECTION V. PROPER NOTICE & MEETING**

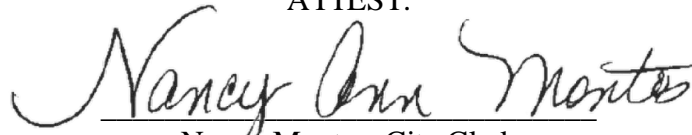
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED AND APPROVED** this, the 15th day of July, 2019, by a vote of 5 (*ayes*) to 0 (*nays*) to 0 (*abstentions*) of the City Council of San Elizario, Texas.

**CITY OF SAN ELIZARIO, TEXAS**

  
\_\_\_\_\_  
Antonio Araujo, Mayor

ATTEST:

  
\_\_\_\_\_  
Nancy Montes, City Clerk

**Section 3.5 Certificate of Appropriateness Criteria**

C. Administrative Review Process. *(amending to add subsection 8)*

8. As an alternative to the above process, an application shall be eligible for administrative review by the HPO, or in the absence of an HPO, the City Administrator, other designee of the Mayor or through a review process established by the City Administrator, for the following:

- a. Landscape materials including vegetation, irrigation, and xeriscaping, in the front, rear, side yards and parkways;
- b. New fencing on the front, rear and side yards; Chain-link fence is not an acceptable material for approval under administrative review;
- c. Location of proposed security bars or grills over structure openings;
- d. Exterior accessibility ramps when placed in non-character-defining facades;
- e. Replacement of garage or household exterior doors that match the original doors or original-style doors;
- f. Walkways, driveways, and aprons;
- g. Painting of previously painted surfaces other than brick or any type of stone with colors compatible with the historic district;
- h. Installation of outdoor lighting fixtures and security fixtures when such elements complement the design context of the building or structure; or
- i. Minor alterations not requiring a building permit in a non-character-defining facade and not visible from the street.

2. In making the review of the application, the HPO or other authorized person(s) shall apply the applicable guidelines in the same manner as required of the Board of Review.

3. After reviewing the application and considering the submitted evidence, the HPO or other authorized person(s) may take one of the types of actions as authorized in the Ordinance for the Board of Review and notify the applicant of the decision and issue a Certificate of Appropriation for any approved application. If the application is denied, the HPO or other authorized person(s) shall notify and advise the applicant, who may request a hearing and review of the application by the Board of Review within 30 days of receipt of notice.