

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL OUTSIDE CBA)

Updated: December, 2025



CONTACT INFORMATION

Applicant's Name		Property Owner	
Company		Company	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

PROPERTY INFORMATION

Subject Property Address: _____

Zoning District: _____ Tax ID #: R_____

Legal Description: Lot _____ Block _____ Subdivision _____

Number of Parking Spaces: _____

Is property more than 300' from church, school, hospital, or residential district? ☐ Y ☐ N

DESCRIPTION OF REQUEST

Business Name: _____ CUP Permit Type: ☐ Eating Establishment ☐ Bar

☐ NEW ☐ RENEWAL/AMENDMENT ☐ Mixed Beverage ☐ Beer & Wine ☐ Late Hours

Hours of Operation (ex. Mon 12pm-1am): Mon _____ Tue _____ Wed _____

Thurs _____ Fri _____ Sat _____ Sun _____

Indoor Seating Capacity: _____ Outdoor Seating Capacity: _____ Gross Floor Area: _____

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Initial Filing Fee 1,050* Technology Fee \$15 TOTAL COST \$1,065

Renewal/Amendment Filing Fee \$788* Technology Fee \$15 TOTAL COST \$803

Submittal of this digital Application shall constitute as acknowledgment and authorization to process this request.

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Planning & Development Services • 630 East Hopkins • San Marcos, Texas 78666 • 512-393-8230



CHECKLIST FOR CONDITIONAL USE PERMIT ALCOHOL OUTSIDE CENTRAL BUSINESS AREA (CBA)

The following items are requested for consideration of this application. These and additional items may be required, at the request of the Department, in order to determine the application complete and filed.	Comments
☐ Pre-development meeting with staff is required unless waived by the Responsible Official Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule, or email planninginfo@sanmarcostx.gov with any questions.	
☐ Completed Application for Conditional Use Permit (Alcohol Outside CBA)	
☐ Site Plan illustrating, where appropriate: location, square footage and height of existing and proposed structures, landscaping or fencing, setbacks, parking, ingress & egress, signs, etc.	
☐ Interior Layout of all buildings illustrating indoor & outdoor seating, kitchen, bar, restrooms, fire exits, etc.	
☐ Business Details including Business Trade Name, Type of Entity (Individual, Partnership, Corporation, Etc.), Entity Contact Person, Address, Email, Phone Number	
☐ Detail Entertainment Facilities (on site plan or in writing) including television locations, locations of speakers, stages, dancing areas, live music, acoustic music, ambient speaker music, etc.	
☐ Signed Notification Authorization (see following pages)	
☐ Signed Authorization to represent the property owner, if the applicant is not the owner (see following pages)	
☐ Signed Acknowledgement of City of San Marcos Land Development Code (see following pages)	
☐ Copy of State TABC License Application	
☐ Proposed Food Menu (If applicable) and Drink Menu	
☐ Initial Application Filing Fee \$1,050 ☐ Renewal or Amendment Filing Fee \$ 788 ☐ Technology Fee \$15	
**San Marcos Development Code Section 2.3.1.1(C): “Every application accepted by the responsible official for filing shall be subject to a determination of completeness...the responsible official is not required to review an application unless it is complete...”	
*For Renewals, staff <i>may</i> accept a written statement that no changes have been made if copies are available on file.	

PROPERTY OWNER AUTHORIZATION

I, _____ (owner name) on behalf of
_____ (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
_____ (address).

I hereby authorize _____ (agent name) on behalf of
_____ (agent company) to file this application for
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: _____ Date: _____

Printed Name, Title: _____

Signature of Agent: _____ Date: _____

Printed Name, Title: _____

Form Updated December, 2025

AGREEMENT TO THE PLACEMENT OF POSTED NOTICE AND ACKNOWLEDGEMENT OF PERSONAL REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of posted signs on the subject property, and personal notice presented to the Planning Commission and / or City Council.

- **Posted Notice:** if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
- **Personal Notice:** if required by code, staff shall mail personal notice in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be mailed it may be at the expense of the applicant. The renotification fee shall be \$158 plus a \$ 15 technology fee.***

I have read the above statements and agree to the required posted notice, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of Posted/ Personal Notices and public hearing and hereby submit the attached application for review by the City.

Signature: _____

Date: _____

Print Name: _____

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AGREEMENT TO THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE

The establishment must hold a valid Conditional Use Permit for the on-premise sale and consumption of alcohol issued and effective under [Section 2.8.3.1](#), [Section 5.1.5.5](#) and any conditions of such permit.

Where an **“Eating Establishment”** includes the sale of alcohol for on premise consumption the following standards shall apply:

- Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within 100 feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Where a **“Bar”** that primarily sells alcohol beverages for on premise consumption and **may** include the sale of food, the following standards shall apply:

- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within **100** feet of any exit, and all areas of the permitted property in a clean and sanitary condition, free from litter and refuse at all times.
- Noise - The activities of the establishment selling alcoholic beverages for on-premises consumption shall not produce noise levels in excess of those described in [Section 7.4.2.1](#) so as to not interfere with the reasonable use and enjoyment of adjacent property or public areas.
- Additional conditions may be added following a review by the Planning Staff, Planning & Zoning Commission, and/or City Council.

Not all standards are listed, please review [Land Development Code Section 5.1.5.5](#) Restaurant/Bar for more information.

I have read the above standards and agree to follow City of San Marcos Land Development Code. I understand that if I do not follow the requirements, my Conditional Use Permit could be revoked. Please notify staff of any changes to the business operation.

Signature: _____

Date: _____

Print Name: _____

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