

CONDITIONAL USE PERMIT APPLICATION (ALCOHOL WITHIN CBA)

Updated: September, 2026



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: _____ ☐ Restaurant ☐ Bar ☐ Other: _____

☐ 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.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG

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 October, 2019

AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

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

- Notification Signs: 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.***
- Published Notice: if required by code, staff shall publish a notice in a newspaper of general circulation in accordance with City Codes and the Texas Local Government Code. ***If, for any reason, more than one notice is required to be published it may be at the expense of the applicant. The renotification fee shall be \$150 plus a \$15 technology fee.***
- 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 \$150 plus a \$15 technology fee.***

I have read the above statements and agree to the required public notification, 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 notification and public hearing and hereby submit the attached application for review by the City.

Signature: _____

Date: _____

Print Name: _____

Form Updated March, 2023



CHECKLIST FOR CONDITIONAL USE PERMIT (ALCOHOL INSIDE 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, stages, dancing areas, live music, acoustic music, ambient speaker music, etc							
☐ Notification Authorization							
☐ Authorization to represent the property owner, if the applicant is not the owner							
☐ Copy of State TABC License Application							
☐ Proposed Menu							
☐ <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Initial Application Filing Fee</td> <td style="text-align: right;">\$1,050</td> </tr> <tr> <td>Renewal or Amendment Filing Fee</td> <td style="text-align: right;">\$788</td> </tr> <tr> <td>Technology Fee</td> <td style="text-align: right;">\$15</td> </tr> </table>	Initial Application Filing Fee	\$1,050	Renewal or Amendment Filing Fee	\$788	Technology Fee	\$15	
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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							

AGREEMENT TO THE CITY OF SAN MARCOS LAND DEVELOPMENT CODE DOWNTOWN CENTRAL BUSINESS AREA (CBA) REQUIREMENTS

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](#) of the Development Code and any conditions of such permit. Within the Downtown Central Business Area (CBA) the establishment can either request an **“Eating Establishment”** or a **“Bar”** Conditional Use Permit, subject to the maximum allowed permits, and in accordance with the Development Code.

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

- In the Downtown Central Business Area (CBA) boundary, the total number of eating establishments which include the sale and on-premise consumption of alcohol is limited to 25.
- The business must have a kitchen and food storage facilities of sufficient size to enable food preparation. The kitchen must be equipped with, and must utilize, a commercial grill, griddle, fryer, oven, or similar heavy food preparation equipment.
- The business must have meals available to customers during the hours that the business is open. A meal must consist of at least one entree, such as a meat serving, a pasta dish, pizza, a sandwich, or similar food in a serving that serves as a main course for a meal. At least three entrees must be available during each meal service.
- The business must be used, maintained, advertised and held out to the public as a place where meals are prepared and served.
- The business shall be responsible for maintaining the sidewalk, gutters, parking lot, all areas within **50** 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.

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

- In the Downtown Central Business Area (CBA) boundary, the total number of bars is limited to 14.
- 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 may be revoked. Please notify staff of any changes to the business operation.

Signature: _____

Date:

Print Name: