

ORDINANCE NO. 2024-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE REGULATIONS AND STANDARDS OF THE PASO ROBLES (KISSING TREE) PLANNED DEVELOPMENT DISTRICT (PDD), CONSISTING OF APPROXIMATELY 1,338.58 ACRES OF LAND, GENERALLY LOCATED IN THE AREA OF CENTERPOINT ROAD AND HUNTER ROAD, ESTABLISHING, AMONG OTHER THINGS, A REDUCTION IN THE TOTAL NUMBER OF RESIDENTIAL UNITS IN THE MIXED USE PORTION OF THE DEVELOPMENT WEST OF HUNTER ROAD, AND ALLOWING ALL OF THOSE RESIDENTIAL UNITS TO BE ACTIVE ADULT DWELLING UNITS FOR USE BY ADULTS AGED 55 AND OVER, IN CASE NO. PDD-08-05(B) (KISSING TREE SECOND AMENDMENT); INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On October 5, 2010, by Ordinance No. 2010-59, the City Council approved the Paso Robles Planned Development District, now known as the Kissing Tree PDD, and approved a Land Use Plan and Development Standards for the PDD. The approved PDD was first amended on August 2, 2011, to correct the Concept Plan to remove the north-south arterial on the west side of the development.

2. On May 14, 2024, the Planning and Zoning Commission of the City of San Marcos held a public hearing concerning PDD-08-05(B), a request to amend certain regulations and standards applicable within the Paso Robles/ Kissing Tree Planned Development District consisting of approximately 1,338.58 acres of land generally located in the area of Centerpoint Road and Hunter Road, to establish, among other things, a reduction in the total number of residential units in the Mixed Use portion of the development west of Hunter Road and to allow all of those residential units to be active adult dwelling units for persons 55 and over.

3. Subsequent to the public hearing, the Planning and Zoning Commission considered the request and voted 8 – 0 to recommend approval of PDD-08-05(B) to City Council.

4. The City Council held a public hearing on June 4, 2024, regarding the request.

5. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Regulations and Standards applicable within the Paso Robles/ Kissing Tree Planned Development District (PDD) as approved by Ordinance No. 2010-59, as previously amended, are hereby amended to establish, among other things, a reduction in the total number of

residential units in the Mixed Use portion of the development west of Hunter Road and to allow all of those residential units to be active adult dwelling units for persons 55 and over, as further shown in Exhibit A, attached hereto and made a part hereof.

SECTION 2. All other requirements for the Paso Robles/Kissing Tree Planned Development District approved by Ordinance No. 2010-59, as previously amended, shall remain in full force and effect.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect only upon its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on June 4, 2024.

PASSED, APPROVED AND ADOPTED on second reading on July 2, 2024.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney

EXHIBIT A

[ATTACH FINAL VERSION OF AMENDMENTS APPROVED BY CITY COUNCIL]