

**ORDINANCE NO. 2023-29**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING CHAPTER 2, ARTICLE 3, DIVISION 5 – ZONING BOARD OF ADJUSTMENTS, OF THE SAN MARCOS CITY CODE BY AMENDING SECTION 2.151(a) MEMBERSHIP FROM THREE YEARS TO TWO YEARS TO COMPLY WITH THE TEXAS LOCAL GOVERNMENT CODE SECTION 211.008 – ZONING BOARD OF ADJUSTMENT; AND DECLARING AN EFFECTIVE DATE.**

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

**SECTION 1.** Section 2.151(a) of the San Marcos City Code is amended as set forth below. Underlining indicates added text. Strikeout indicates deleted text.

The zoning board of adjustments (ZBOA) shall consist of five regular members and two alternates appointed by city council, for terms of ~~three~~two years.

**SECTION 2.** 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**SECTION 3.** All ordinances or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 4.** This ordinance shall become effective upon adoption on second reading.

**PASSED AND APPROVED ON FIRST READING** on March 7, 2023.

**PASSED, APPROVED, AND ADOPTED** on March 21, 2023.

Jane Hughson  
Mayor

Attest:

Approved:

Elizabeth Trevino  
City Clerk

Barbara L. Quirk  
Interim City Attorney