

ORDINANCE NO. 2025-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY IN CASE NO. ZC-25-02, BY REZONING APPROXIMATELY 199.49 ACRES OF LAND, GENERALLY LOCATED AT THE 900 BLOCK OF FRANCIS HARRIS LANE, SOUTH OF THE INTERSECTION BETWEEN GRANT HARRIS ROAD AND FRANCIS HARRIS LANE IN HAYS COUNTY, TEXAS, FROM FUTURE DEVELOPMENT (“FD”) DISTRICT AND CHARACTER DISTRICT 2.5 (“CD-2.5”) TO LIGHT INDUSTRIAL (“LI”) DISTRICT, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION, AND SUBJECT TO THE RECORDING OF A RESTRICTIVE COVENANT AGREEMENT PROHIBITING CERTAIN USES ON THE PROPERTY; INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. On March 25, 2025, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from Future Development (“FD”) and Character District 2.5 (“CD-2.5”) to Light Industrial (“LI”) or a less intense zoning district for approximately 199.49 acres of land, more or less, out of the A. M. Esnaurizar Survey, Abstract No. 6, generally located on the western side of Francis Harris Lane, south of the intersection between Grant Harris Road and Francis Harris Lane in Hays County, Texas (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. On March 25, 2025, the Planning and Zoning Commission voted 8 - 1 in Case No. ZC-25-02 to recommend denial of this request.

3. The City Council held a public hearing on August 19, 2025, regarding the request.

4. All requirements pertaining to Zoning Map amendments have been met.

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 Official Zoning Map of the City is amended to rezone the Property, as described in Exhibit A from Future Development (“FD”) to Light Industrial (“LI”), with the exception of a 50 ft buffer along the northwestern property line of the Highlander, SM One, LLC Tract adjacent to the private driveway (Grant Harris Rd), which is rezoned Character District-1.

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 and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 4. This ordinance will take effect after its passage, approval and adoption on second reading and the recording of a restrictive covenant agreement concerning the Property in substantially the form in Exhibit B, attached hereto and made a part hereof.

PASSED AND APPROVED on first reading on August 19, 2025.

PASSED, APPROVED AND ADOPTED on second reading on September 2, 2025.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney

EXHIBIT A
[ATTACH LEGAL DESCRIPTION AND SURVEY]

EXHIBIT B
[ATTACH RESTRICTIVE COVENANT]

CITY CLERK TO COMPLETE THE FOLLOWING:

Date Restrictive Covenant Agreement Recorded: _____

Instrument No. of Recorded Agreement: _____

County in Which Agreement Recorded: _____