

ORDINANCE NO. 2024-16

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-23-19, BY REZONING APPROXIMATELY 1.931 ACRES OF LAND GENERALLY LOCATED AT THE SOUTH SIDE OF LINDSEY STREET BETWEEN NORTH COMANCHE STREET AND NORTH STREET, AND SOUTHWEST OF THE INTERSECTION BETWEEN LINDSEY STREET AND NORTH STREET FROM MULTIFAMILY-12 “MF-12” DISTRICT, MULTIFAMILY-18 “MF-18” DISTRICT, AND MULTIFAMILY-24 “MF-24” DISTRICT TO CHARACTER DISTRICT-5 DOWNTOWN “CD-5D” DISTRICT, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On February 27, 2024, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from Multifamily-12 “MF-12” District, Multifamily-18 “MF-18” District, and Multifamily-24 “MF-24” District to Character District-5 Downtown “CD-5D” District for approximately 1.931 acres of land out of the J.M Veramendi Survey, Abstract No. 17, generally located on the south side of Lindsey Street between North Comanche Street and North Street, and southwest of the intersection between Lindsey Street and North Street (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. On February 27, 2024, the Planning and Zoning Commission approved a recommendation to the City Council regarding the request.

3. The City Council held a public hearing on April 2, 2024, 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 Multifamily-12 “MF-12” District, Multifamily-18 “MF-18” District, and Multifamily-24 “MF-24” District to Character District-5 Downtown “CD-5D” District.

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.

PASSED AND APPROVED on first reading on April 2, 2024.

PASSED, APPROVED AND ADOPTED on second reading on April 16, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney

EXHIBIT A
[ATTACH LEGAL DESCRIPTION AND SURVEY]