

## **ORDINANCE NO. 2025-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY REZONING APPROXIMATELY 26.77 ACRES OF LAND GENERALLY LOCATED ON EAST MCCARTY LANE SOUTH OF THE INTERSECTION BETWEEN RATTLER ROAD AND EAST MCCARTY LANE FROM CHARACTER DISTRICT-4 (CD-4) TO CHARACTER DISTRICT-5 (CD-5), OR SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS:**

1. In Case No. ZC-25-06 the owner of approximately 26.77 acres of land generally located on East McCarty Lane south of the intersection between Rattler Road and East McCarty Lane, as further described in Exhibit “A,” attached hereto and incorporated herein for all purposes (the “Property”), made a request for the City to rezone the Property from Character District -4 (CD-4) to Character District-5 (CD-5).
2. On May 13, 2025, the Planning and Zoning Commission voted 8–0 in Case No. ZC-25-06 to recommend approval of this request.
3. The City Council held a public hearing on July 1, 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 from Character District-4 (CD-4) to Character District-5 (CD-5).

**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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 July 1, 2025.

**PASSED, APPROVED AND ADOPTED** on second reading on August 5, 2025.

Jane Hughson  
Mayor

Attest:

Approved:

Elizabeth Trevino  
City Clerk

Samuel J. Aguirre  
City Attorney

**EXHIBIT A – PROPERTY DESCRIPTION**

*[ATTACH LEGAL DESCRIPTION AND SURVEY]*