

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE SAN MARCOS SMARTCODE BY AMENDING SECTION 1.5.2 AND CORRESPONDING PROVISIONS TO SET A LIMIT OF SEVEN STORIES AS THE MAXIMUM BUILDING HEIGHT ALLOWED BY WARRANT, CORRECTING TABLE 1.2 TO REFLECT A BUILDING HEIGHT LIMIT OF TWO STORIES IN A T3 TRANSECT, AND AMENDING TABLE 1.2 AND CORRESPONDING PROVISIONS TO REDUCE THE BUILDING HEIGHT LIMIT FROM FIVE STORIES TO THREE STORIES IN A T4 TRANSECT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The adoption of this Ordinance is in the interest of the public health, safety and welfare.

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

SECTION 1. The following provisions of the San Marcos SmartCode, Subpart C of the San Marcos City Code, are hereby amended as shown in Exhibit A, attached hereto and made a part hereof for all purposes. Amendments are indicated by red font, with deletions being further indicated by strikethroughs.

a. Section 1.5.2 and corresponding provisions are amended to set a limit of seven stories as the maximum building height allowed by warrant.

b. Table 1.2 is amended to reflect a building height limit of two stories in a T3 transect.

c. Table 1.2 and corresponding provisions are amended to reduce the building height limit from five stories to three stories in a T4 transect

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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this Ordinance are repealed.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 adoption on second reading.

PASSED AND APPROVED on first reading on June 2, 2015.

PASSED, APPROVED AND ADOPTED on second reading on June 16, 2015.

Daniel Guerrero
Mayor

Attest:

Approved:

Jamie Lee Pettijohn
City Clerk

Michael J. Cosentino
City Attorney

EXHIBIT “A”

Amendments to Subpart C of San Marcos City Code, “San Marcos SmartCode”

[Attached on following pages]