

ORDINANCE NO. 2024-52

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-24-03, BY REZONING APPROXIMATELY 1.132 ACRES OF LAND IN HAYS COUNTY, TEXAS, LOCATED AT 2807 HUNTER ROAD, FROM MULTIPLE FAMILY RESIDENTIAL “MF-18” DISTRICT TO CHARACTER DISTRICT-5 "CD-5", OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. On September 24, 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 Multiple Family Residential “MF-18” to Character District-5 "CD-5" or a less intense zoning district for approximately 1.132 acres of land out of the J. M. Veramendi League No 1 Survey, Hays County, Texas, located at 2807 Hunter Road (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.
2. On September 24, 2024, the Planning and Zoning Commission did not approve this request, and instead voted 9–0 in Case No. ZC-24-03 to recommend approval of a less intense zoning district, Neighborhood Commercial District (N-CM).
3. The City Council held a public hearing on October 15, 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 Multiple Family Residential (MF-18) to _____ (Fill in after vote: Character District 5 (CD-5) or Neighborhood Commercial (N-CM)).

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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 October 15, 2024.

PASSED, APPROVED AND ADOPTED on second reading on November 6, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney

EXHIBIT A
[ATTACH LEGAL DESCRIPTION AND SURVEY]