

## **ORDINANCE NO. 2024 -**

**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 LOCATED AT 2807 HUNTER ROAD, FROM MULTIPLE FAMILY RESIDENTIAL “MF-18” TO NEIGHBORHOOD COMMERCIAL “N-CM” DISTRICT; 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, and voted 6-0 on first reading to rezone the Property to a less intense zoning district, Neighborhood Commercial “N-CM”

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 Neighborhood Commercial (N-CM) 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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 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]*