

**ORDINANCE NO. 2024-06**

**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-23-26, BY REZONING APPROXIMATELY 2.69 ACRES OF LAND, GENERALLY LOCATED ON RATTLER ROAD APPROXIMATELY 400 FEET SOUTH OF THE INTERSECTION BETWEEN RATTLER ROAD AND EAST MCCARTY LANE/FM 110, FROM FUTURE DEVELOPMENT "FD" DISTRICT TO COMMERCIAL "CM" 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 January 23, 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 Future Development "FD" District to Commercial "CM" District for approximately 2.69 acres of land, generally located on Rattler Road approximately 400 feet south of the intersection between Rattler Road and East McCarty Lane/FM 110 (the "Property"), as described in Exhibit A, attached hereto and made a part hereof for all purposes.
2. On January 23, 2024, the Planning and Zoning Commission voted 9–0 to recommend approval of the request.
3. The City Council held a public hearing on February 6, 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 Future Development "FD" District to Commercial "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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 February 6, 2024.

**PASSED, APPROVED AND ADOPTED** on second reading on February 20, 2024.

Jane Hughson  
Mayor

Attest:

Elizabeth Trevino  
City Clerk

Approved:

Samuel J. Aguirre  
City Attorney

**EXHIBIT A**  
*[ATTACH LEGAL DESCRIPTION AND SURVEY]*