

ORDINANCE NO. 2024 - 12

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-24-02, BY REZONING APPROXIMATELY 2.133 ACRES OF LAND OUT OF THE BARNETTE O. KANE SURVEY, ABSTRACT NO. 281, HAYS COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHEAST CORNER OF THE SOUTH OLD BASTROP HIGHWAY AND REDWOOD ROAD INTERSECTION, FROM CHARACTER DISTRICT-5 "CD-5" 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 February 13, 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 Character District-5 "CD-5" District to Commercial "CM" District for approximately 2.133 acres of land out of the Barnette O. Kane survey, Abstract No. 281, Hays County, Texas, generally located north of the Old Bastrop/Redwood Intersection (the "Property"), as described in Exhibit A, attached hereto and made a part hereof for all purposes.
2. On February 13, 2024, the Planning and Zoning Commission voted 8–0 to recommend approval of the request.
3. The City Council held a public hearing on March 5, 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 Character District-5 "CD-5" 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 March 5, 2024.

PASSED, APPROVED AND ADOPTED on second reading on March 19, 2024.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

Approved:

Samuel J. Aguirre
City Attorney

EXHIBIT A
[ATTACH LEGAL DESCRIPTION AND SURVEY]