

## **ORDINANCE NO. 2022-49**

**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-22-22, BY REZONING APPROXIMATELY 79.901 ACRES OF LAND LOCATED AT THE 2900 BLOCK OF YARRINGTON ROAD FROM “FD” FUTURE DEVELOPMENT DISTRICT TO “CD-3” CHARACTER DISTRICT-3, OR, SUBJECT TO CONSENT OF THE OWNER, ANOTHER LESS INTENSE ZONING DISTRICT CLASSIFICATION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS:**

1. On June 14, 2022, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to change the zoning designation from “FD” Future Development District to “CD-3” Character District-3 for approximately 79.901 acres of land located at the 2900 block of Yarrington Road (the “Property”), as described in Exhibit A, attached hereto and made a part hereof for all purposes.

2. The Planning and Zoning Commission approved a recommendation to the City Council regarding the request.

3. The City Council held a public hearing on July 5, 2022, 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 “FD” Future Development District to “CD-3” Character District-3.

**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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 July 5, 2022.

**PASSED, APPROVED AND ADOPTED** on second reading on August 2, 2022.

Jane Hughson  
Mayor

Attest:

Elizabeth Trevino  
Interim City Clerk

Approved:

Michael J. Cosentino  
City Attorney

**EXHIBIT A**  
[ATTACH LEGAL DESCRIPTION]