

## **ORDINANCE NO. 2023-37**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING TMP-23-01, AMENDING THE CITY'S TRANSPORTATION MASTER PLAN, APPENDIX E (ROADWAY), APPENDIX G (BICYCLE PLAN), AND APPENDIX H (GREENWAYS PLAN) TO REMOVE THE EXTENSION OF MCCOY DRIVE FROM MCCOY CIRCLE TO DAVIS LANE, TO REMOVE A FUTURE AVENUE FROM RIVER ROAD ACROSS THE SUBJECT PROPERTY TO DAVIS LANE, AND TO REMOVE A PORTION OF THE PROPOSED GREENWAY ADJACENT TO THE APPLICANT'S PROPERTY; AND INCLUDING PROCEDURAL PROVISIONS.**

### **RECITALS:**

1. On March 28, 2023, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to amend the Thoroughfare Plan of the City's Transportation Master Plan by removing two proposed thoroughfares generally located between Davis Lane, McCoy Circle, and River Road, removing a portion of a proposed greenway adjacent to the applicant's property and voted 9 – 0 to recommend that the request be approved by the City Council of the City.

2. The City Council held public hearings on April 18, 2023, and May 2, 2023, regarding the request.

3. All requirements of the City's Land Development Code pertaining to Thoroughfare Plan Amendments have been met.

4. 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 Thoroughfare Plan of the Transportation Master Plan, Appendix E (Roadway), Appendix G (Bicycle Plan), and Appendix H (Greenways Plan) is hereby amended by approving TMP-23-01, to remove the extension of McCoy Drive from McCoy Circle to Davis Lane, to remove a future avenue from River Road across the subject property to Davis Lane, and to remove a portion of a proposed greenway adjacent to the applicant's property as requested by Eckermann Engineering, Inc on behalf of the McCoy Corporation, as further described on Exhibit A hereto.

**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**SECTION 3.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 May 2, 2023.

**PASSED, APPROVED AND ADOPTED** on second reading on May 16, 2023.

Jane Hughson  
Mayor

Attest:

Approved:

Elizabeth Trevino  
City Clerk

Sam Aguirre  
City Attorney

## EXHIBIT A

McCoy's Retreat Center  
TMP Amendment

