

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING SECTION 2.4.2.2 OF THE CITY'S DEVELOPMENT CODE, SUBPART B, OF THE SAN MARCOS CITY CODE, BY ELIMINATING THE REQUIREMENT THAT CONSIDERATION OF CERTAIN APPLICATIONS FOR PREFERRED SCENARIO MAP AMENDMENTS BE LIMITED TO TWICE PER YEAR; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ANY CONFLICTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. After consideration by and a recommendation from the Planning and Zoning Commission regarding a proposed change to the twice per year limitation on the consideration of applications for Preferred Scenario Map amendments, the City Council conducted a public hearing and considered the proposed change and the recommendation of the Planning and Zoning Commission.
2. All requirements for amending the City's Development Code have been satisfied.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. Section 2.4.2.2 of the City's Development Code, Subpart B, of the San Marcos City Code, is amended as set forth below. Deleted text is indicated by strikethroughs. Added text is indicated by underlining.

Section 2.4.2.2 Application Requirements

- A. An application for a Comprehensive Plan map amendment shall be submitted in accordance with the universal application procedures in Section 2.3.1.1.
- ~~B. Consideration of Preferred Scenario Map amendments that meet either of the conditions below shall be limited to twice per year as determined by the Responsible Official.~~
 - ~~1. Any modification to the Existing Neighborhood designation on the Preferred Scenario Map.~~
 - ~~2. Any request for a medium or high intensity zone designation.~~

CB. A request for amendment of the Preferred Scenario Map submitted by a property owner must be accompanied by an application for a consistent zoning amendment for land within the city limits, or by a subdivision concept plat, for land within the ETJ.

SECTION 2. In codifying the changes authorized by this ordinance, paragraphs, sections and subsections may be renumbered and reformatted as appropriate consistent with the numbering and formatting of the San Marcos City Code.

SECTION 3. 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 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on October 16, 2018.

PASSED, APPROVED AND ADOPTED on second reading on November 7, 2018.

John Thomaides
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney