

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING APPROXIMATELY 934.34 ACRES OF LAND, COMPRISED OF SIX TRACTS OF LAND OUT OF THE WILLIAM PETTUS SURVEY, ABSTRACT NO. 21 AND LOCATED ALONG STATE HIGHWAY 80 AND FM 1984 AS “HI” HEAVY INDUSTRIAL DISTRICT; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On January 8, 2019, the Planning and Zoning Commission of the City of San Marcos held a public hearing regarding a request to zone, upon annexation, approximately 934.34 acres of land, comprised of six tracts of land out of the William Pettus Survey, Abstract No. 21 and located along State Highway 80 and FM 1984, as shown on Exhibit A, attached hereto and made a part hereof for all purposes to “HI” Heavy Industrial District.

2. Subsequent to the public hearing on that date, the Planning and Zoning Commission considered the request and voted to recommend approval of the request.

3. The City Council held a public hearing on January 15, 2019 regarding the request and considered the recommendation of the Planning and Zoning Commission.

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 designate approximately 934.34 acres of land, comprised of six tracts of land out of the William Pettus Survey, Abstract No. 21 and located along State Highway 80 and FM 1984, as shown on Exhibit A, as “HI” Heavy Industrial District.

SECTION 2. If any portion of the property described in Section 1 is determined by the City or a court of competent jurisdiction to be ineligible to be zoned as requested for any reason, this ordinance shall not be effective as to such portion, but shall, otherwise, be effective and enforceable as to the remainder of the property.

SECTION 3. If any word, phrase, clause, sentence, provision 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 upon its adoption on second reading.

PASSED AND APPROVED on first reading on January 15, 2019.

PASSED, APPROVED AND ADOPTED on second reading on _____, 2019.

Jane Hughson
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney

EXHIBIT A

[Metes and Bounds Description of the Property to be Attached]