

CITY OF DRIPPING SPRINGS

ORDINANCE No. 1220.41

ORDINANCE LIMITING THE NUMBER OF BANKS AT INTERSECTIONS

AN ORDINANCE AMENDING VOLUME 2, ARTICLE 15, CHAPTER 23 OF THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES; AMENDING ACCEPTABLE USE PROVISIONS FOR DISTRICTS ZONED LOCAL RETAIL, GENERAL RETAIL, AND OFFICE; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; CODIFICATION; PROPER NOTICE & HEARING; POPULAR NAME; PURPOSE; DEFINITIONS; SCOPE; AND ENFORCEMENT

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to provide for the orderly and safe development of land and use of property within the city Limits; and

WHEREAS, the City of Dripping Springs (“City”) has a rather small and geographically limited amount of space for commercial enterprises to locate; and

WHEREAS, the City Council strives to maintain and foster a diverse, thriving commercial sector in an effort to support the local economy and provide a broad range of retail services to residents; and

WHEREAS, the City Council seeks to enhance economic growth, steward the citizenry’s prosperity, and provide for an expanding tax base.

WHEREAS, the City Council finds that a disproportionate number of office uses can have an adverse effect on the City’s sales tax base and stifle retail ventures; and

WHEREAS, the City Council has the general authority to regulate land use and development, and nuisances pursuant to the Texas Constitution, the City’s police power and the Texas Local Government Code, Chapters 51, 54, 211, 212 and 217; and

WHEREAS, the City Council finds there is a need to limit the number of areas within the City that are zoned for office use.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Volume 2, Article 15, Chapter 23 Sections 3.9., 3.10., and 3.11 of the City of Dripping Springs Code of Ordinances are hereby revised so as to read in accordance with *Attachment A*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment A*.

3. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication as provided for by law.

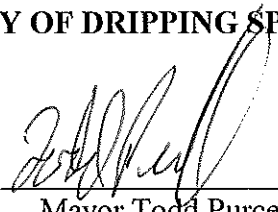
7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the 9th day of December 2008, by a vote of 4 (ayes) to 1

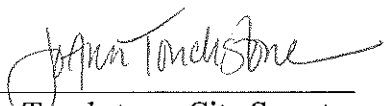
(nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

by: 

Mayor Todd Purcell

ATTEST:



Jo Ann Touchstone, City Secretary

APPROVED AS TO FORM:

Alan J. Bojorquez, City Attorney

City of Dripping Springs

CODE OF ORDINANCES

VOLUME 2

ARTICLE 15: DEVELOPMENT

CHAPTER 23: ZONING

Section 3.9.6. is amended to include the following:

- (f) Banks and Savings and Loan Associations are restricted to one per intersection or shared access driveway.

Section 3.10. is amended to replace subsection 3.10.1 with the following:

Section 3.10.1. Description: The LR, Local Retail District is established to provide areas for low intensity, specialized retail sales that are intended to service local neighborhoods, citizens, and visitors of Dripping Springs. Bed-and-breakfasts are permitted within Local Retail Districts. General, Office, regional commercial, or commercial services uses should not be permitted.

Section 3.11. is amended to replace subsection 3.11.1 with the following:

3.11.1. Description: The GR, General Retail District is established to provide areas for retail facilities that are larger than those generally located in the Local Retail District, such as large grocery stores, book stores, and the like. Areas zoned for General Retail should have convenient regional access via major thoroughfares, such as US Highway 290 or Ranch Road 12, and major collector streets are primary locational considerations. Hotel/motel uses, community scale retail, and bed-and-breakfasts are permitted within General Retail Districts. Office uses, commercial services, and industrial uses shall not be permitted.