

CITY OF DRIPPING SPRINGS

ORDINANCE NO. 1220.150

AMENDMENT TO PDD #1

AN AMENDMENT TO ORDINANCE NO. 1220.11 OF THE DRIPPING SPRINGS CODE OF ORDINANCES; TRANSFER TO CHAPTER 30, ZONING; ARTICLE 30.03 PLANNED DEVELOPMENT DISTRICTS BASED ON UPDATED CODIFICATION; MODIFYING REGULATION STANDARDS OF THE DISTRICT; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; AMENDMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, on September 12, 2006, the City Council of the City of Dripping Springs (“City Council”) enacted an ordinance and executed an agreement creating Planned Development District Number One (“PDD #1”); and

WHEREAS, the PDD #1 Agreement allows owners of individual tracts within PDD #1 to request changes to that owner’s individual tract; and

WHEREAS, the City of Dripping Springs Code of Ordinances was re-codified and Planned Development Districts are now located in Chapter 30, Article 30.03 of the Dripping Springs Code of Ordinances; and

WHEREAS, HEB at 598 Highway 290, of the Dripping Springs Retail Center Subdivision, has requested that he City consent to modification of the sign regulations related to the area; and

WHEREAS, after public notice, the Planning and Zoning Commission conducted a public hearing and recommended approval on October 24, 2017; and

WHEREAS, the City Council has determined that HEB’s request is reasonable; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the general authority to enact zoning regulations; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt this Ordinance.

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. AMENDMENT

Volume 2, Article 15, Chapter 24 of the City of Dripping Springs Code of Ordinances (“Ordinance No. 1220.11”) is hereby amended to read in accordance with *Attachment “A”*, and transferred to Chapter 30, Article 30.03, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

3. REPEALER

To the extent reasonable possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.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. SERVERABILITY

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.

6. EFFECTIVE DATE

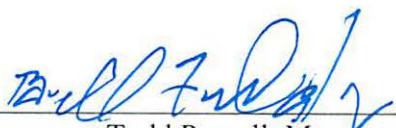
This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, a public hearing was held, and that public notice of the time, place and purpose of said hearing and meeting was given as required by the Open Meetings Act, Texas government Code, Chapter 551.

PASSED AND APPROVED this, the 14th day of November 2017, by a vote of 3 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Todd Purcell, Mayor
BILL FOULDS, MAYOR PRO TEM

ATTEST:

Andrea Cunningham
Andrea Cunningham, City Secretary



City of Dripping Springs

CODE OF ORDINANCES

CHAPTER 30: ZONING

ARTICLE 30.03: PLANNED DEVELOPMENT DISTRICT

PLANNED DEVELOPMENT DISTRICT NO. 1:

SECTION 4. REGULATIONS

4.9 Sign Regulations

Any signage not regulated or permitted by Planned Development District Number 1 Agreement or this Planned Development District Ordinance shall be regulated by the city's current sign ordinance, Chapter 26, City of Dripping Springs Code of Ordinances. Where signage is regulated by total area, current signage on property whether permitted by PDD Number 1 Agreement or by this Code, shall be considered when determining whether requested signage is allowed or requires a variance from Chapter 26 of the City of Dripping Springs Code of Ordinances. If a variance is required for any signage, that variance shall be considered under the City of Dripping Springs current Code of Ordinances.