

## CITY OF DRIPPING SPRINGS

### ORDINANCE No. 2020-01

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 30, EXHIBIT A: SECTION 3.16; AND AMENDING APPENDIX E: ZONING USE REGULATIONS (CHARTS) PERMITTED USE PROVISIONS FOR DISTRICTS ZONED AS PUBLIC PARK OR PRESERVE RELATED TO PARK ACCESSORY USES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

**WHEREAS**, the City of Dripping Springs (the “City”) City Council seeks to provide procedures and standards for allowing “Park Accessory Uses” in areas zoned Public Park or Preserve (PP); and

**WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, a city may establish zoning regulations for the purpose of promoting the public health, safety, morals, or general welfare; and

**WHEREAS**, the City has found the allowance of “Park Accessory Uses” in areas zoned Public Park or Preserve (PP) to be in the best interest of promoting public health and safety; and

**WHEREAS**, the proposed zoning amendment has been reviewed by City staff, including the City’s Land Planner, with the consensus being that the proposed changes are consistent with best planning practices and consistent with the Comprehensive Plan; and

**WHEREAS**, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on December 18, 2019 to consider the proposed amendment and the Planning and Zoning Commission recommended approval of the proposed change; and

**WHEREAS**, after public hearing held by the City Council on January 14, 2020 the City Council voted to accept the recommendation of the Planning and Zoning Commission; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or policy regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, the City Council finds that it is necessary and proper for the protection of the welfare, health, peace, temperance, and safety of the City of Dripping Springs to adopt an ordinance regulating Bars.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, that:**

**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**

Chapter 30, Exhibit A: Section 3.16 and Appendix E: Zoning Use Regulations (Charts) of the Dripping Springs Code of Ordinances are hereby amended to read in accordance with *Attachment "A"* and *Attachment "B"* which are attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes.

**3. REPEALER**

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. 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**

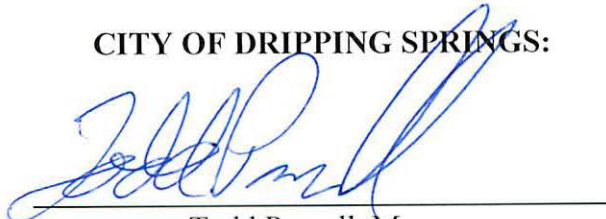
This Ordinance shall be effective immediately upon passage and publication.

**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 14<sup>th</sup> day of January 2020, by a vote of 4 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

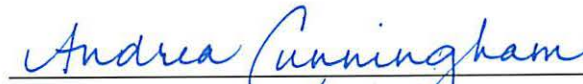
**CITY OF DRIPPING SPRINGS:**



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Todd Purcell, Mayor

**ATTEST:**



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Andrea Cunningham, City Secretary



**CITY OF DRIPPING SPRINGS**

**CODE OF ORDINANCES**

**CHAPTER 30: ZONING**

**EXHIBIT A: ZONING ORDINANCE**

**SECTION 3: ZONING DISTRICTS**

**3.16 Public Park or Preserve (PP)**

**3.16.3** Permitted Uses: Those uses listed for the PP District on the Zoning Use Charts as "P" are authorized uses permitted by right. In addition, Park Accessory Uses are allowed as addressed in this Section.

- (a) Park Accessory Uses: Park accessory uses are those uses commonly associated with the use of public parks, operations, maintenance, and other support activities. These uses, as defined, shall be permitted by right. These uses shall include, but not limited to, Community Centers, Senior Centers, Nature Centers, Dog Off Leash Areas, Parks & Community Services Administration Offices, Playgrounds, Camp sites, Hike and Bike trails, Observatory, Park Maintenance Workshop & Storage Facilities, Community Gardens, Bird Facilities, and other uses as approved by the City.

**CHAPTER 30: ZONING**

**EXHIBIT A: ZONING ORDINANCE**

**APPENDIX E: ZONING USE REGULATIONS (CHARTS)**

Amend the chart to include the following:

	<b>Residential Uses</b>						<b>Nonresidential Uses</b>								
	AG	SF-1	SF-2	SF-4	SF-5	MF-1	O	LR	GR	CS	HO	I	GUI	PR	PP
<u>Park Accessory Uses</u>															<u>P</u>