

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-20

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR 400 W HWY 290, SUITE C101 UNDER EXHIBIT A, ZONING ORDINANCE, SECTION 3.17, CONDITIONAL USE PERMIT AS ATTACHED IN EXHIBIT “A”; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote reasonable, sound, and efficient land use and development within the City of Dripping Springs (“City”); and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to regulate zoning within the City; and

WHEREAS, the City of Dripping Springs desires to approve a conditional use permit because of the unique nature of this property, and the land use is compatible with the permitted land uses in a given zoning district only under current conditions; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police 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 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 expressly set forth herein.

2. ENACTMENT

The Conditional Use Permit is approved as presented in Exhibit “A” to this ordinance.

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resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.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

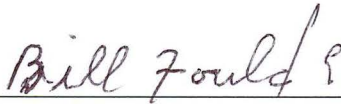
This Ordinance and Conditional Use Permit shall be effective immediately upon passage and publication.

6. PROPER NOTICE & 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.

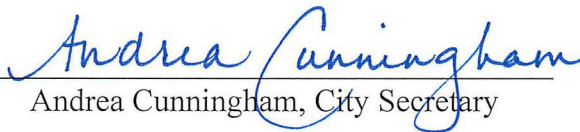
PASSED & APPROVED this, the 12th day of May 2020, by a vote of 4 (ayes) to 1 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Bill Foulds, Jr., Mayor

ATTEST:



Andrea Cunningham, City Secretary





City of Dripping Springs | Conditional Use Permit

Granted to Oh La Boudoir to allow the land use of "Bar" on a property that is currently zoned Commercial Services (CS) District located at: 400 W Hwy 290, Suite C101, Dripping Springs, Texas, 78620

Approved by the City of Dripping Springs City Council on May 12, 2020

Operation of a bar at the above-mentioned location is allowed pursuant to the following regulations:

1. Hours of Operation: Monday – Sunday from 10:00 am - 12:00 am
2. Decibel Level shall not exceed 85 decibels per the Texas Penal Code, Title 9, Section 42.01 (c)(2).
3. Shall be required to meet City Code regarding the required number of off-street parking, provide a parking agreement that meets the code, or the applicant obtains a variance to the parking requirements.
4. Shall be required to visually screen the properties refuse storage area by a minimum six-foot (6') solid masonry wall on at least three (3) sides. The fourth side, which is to be used for garbage pickup service, may provide an optional gate to secure the refuse storage area.
5. All deliveries or shipments, loading and unloading, be made on the property and not from the public right-of-way.
6. Outdoor lighting shall comply with the City of Dripping Springs' Outdoor Lighting Ordinance.
7. Shall abide by all other applicable City regulations, including Zoning and Development Standards.
8. This Conditional Use Permit automatically renews for successive two (2) years periods unless an objection is raised by the City Administrator based on either:
 - a. A history of poor code compliance; or
 - b. A revision to the Comprehensive Plan that renders the CUP incompatible
9. Conditional Use Permits for new uses/structures shall be deemed to have expired and shall become null and void if construction is not completed and occupation commenced within two years of the date the CUP was approved.

10. City Administrator may revoke the CUP for failure to comply with municipal regulations and the conditions placed on the use (City of Dripping Springs Zoning Ordinance Section 3.17.9).
11. Conditional Use Permit is effective on May 12, 2020.