



DRIPPING SPRINGS
Texas

Development Moratorium

Laura Mueller, City Attorney

**City Council, November 22, 2021
Public Hearing, Second Reading, and
Vote**

Process:



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- Delay newly filed permits for:
 - Land use regulation deficiencies related to health and safety
 - Needed public infrastructure
- Two public hearings and Two readings of the ordinance
 - P&Z Hearing – November 15, 2021 – one person spoke in favor
 - 2 City Council meetings (public hearing and 2 readings)
 - November 16, 2021
 - 4 individuals spoke on the ordinance
 - First Reading
 - November 22, 2021
 - Newspaper Notice issued on November 11, 2021
 - Automatic Temporary Moratorium begins November 18, 2021 (5 business days after the notice is published) – Period designed solely for review of possible moratorium by City Council and for public hearings

Proposed Moratorium Ordinance



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- 90 day moratorium applies to City Limits and ETJ
- Exceptions and Waivers are allowed
 - Exceptions can be filed as soon as tomorrow-reviewed by staff
 - Waivers are filed with permit applications-reviewed by council
- Ends, if not extended, on February 20, 2021

Forms will be available online

www.cityofdrippingsprings.com/moratorium

Proposed Moratorium Ordinance



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EXCEPTIONS

- Vested/Ongoing Projects
- Platted Projects where wastewater approved
- Development Agreement projects
- Small, no impact

Exceptions are administratively approved (10 business days the same as administratively completeness check) – provides for appeals to City Council

WAIVERS

- Projects can apply for waivers simultaneously with their applications
- Waivers may be granted by the city council for projects that are prohibited by the moratorium, but are recognized to not detrimentally affect the city

Waivers are reviewed by council – 10 days from waiver and documentation being filed. Denied Waivers can only be resubmitted if the project has a substantial change

Both of these would be applied for at time of application for the main permit. They could be applied for by lot, project, DA, or PDD.

PERMITS – AFFECTED AND UNAFFECTED



Permits Subject to Moratorium

- Commercial/Multi-Family Building Permit Application
- Residential Building Permit Application
- Subdivision Application
- Site Development Application
- Zoning Amendment/PDD Application
- Development Agreement
- Conditional Use Permit
- Variance Application
- Wastewater Application

Full list available at

www.cityofdrippingsprings.com/moratorium

Permits not Subject to Moratorium

- Contractor Registration Form
- Grandfathered Status Request/Appeal
- City Limits/ETJ Determination Letter
- Street Cut/Driveway Permit
- On Site Sewage Facility Permit Application
- Mobile Food Unit
- Pre-Development Meeting Form
- Certificate of Appropriateness
- Annexation Application
- Sign Permit
- Exterior Lighting Review
- Zoning Determination Letter Request
- Residential Swimming Pool Permit
- Demolition Permit

Feedback



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- Planning and Zoning Commission voted to approve the proposed moratorium ordinance as drafted.
- City Staff has received some comments in favor of moratorium.
- City Staff has received multiple emails with questions about how the moratorium would affect projects of all sizes from individual lots to ongoing subdivisions.

Next Steps, if approved



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1. Publish notice of the extension in the newspaper and on the website.
2. Issue Press Release.
3. Publish updated FAQs, Permits List, and Forms on the website.
4. Weekly Council meetings to review waivers. (next item on agenda).
 - a. Notify applicants of denials and approvals.
6. Staff review exceptions and send confirmation letters to approved applicants.
7. Continue to monitor the moratorium email for questions.
8. Continue to monitor progress on land use and wastewater to determine when to terminate or extend the moratorium that ends on February 20, 2022.



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QUESTIONS?

