

CITY OF DRIPPING SPRINGS

ORDINANCE NO. \_\_\_\_\_.

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 30: ZONING: EXHIBIT A: ZONING ORDINANCE AND APPENDIX E: ZONING USE REGULATIONS (CHARTS) FOR SPECIAL EVENT FACILITIES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

**WHEREAS**, the City desires to regulate the development of special event facilities as to location and use; 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 regulation of the location of special event facilities to be in the best interest of promoting comfortable enjoyment of residential neighborhoods; and

**WHEREAS**, the City seeks to amend the Zoning Ordinance as it relates to special event facilities as to the location of the facilities in the City; 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 April 26, 2022 to consider the proposed amendment and the Planning and Zoning Commission recommended \_\_\_\_\_ of the proposed change; and

**WHEREAS**, after public hearing held by the City Council on May 3, 2022 the City Council voted to \_\_\_\_\_ 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 amending regulations of accessory dwelling units.

**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” Zoning Ordinance and Appendix “E” Zoning Use Regulations of the Dripping Springs Code of Ordinances are hereby amended to read in accordance with *Attachment “A”* and which are attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes. Additions to the Ordinance text are underlined and highlighted and deletions are struck-through.

### **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 \_\_\_\_ day of \_\_\_\_\_, 2022, by a vote of \_\_ (ayes) to (nays) to (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

by: \_\_\_\_\_  
Bill Foulds, Jr., Mayor

**ATTEST:**

\_\_\_\_\_  
Andrea Cunningham, City Secretary

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**ATTACHMENT “A”**

**CHAPTER 30: ZONING**

**EXHIBIT A: ZONING ORDINANCE**

**Section 1: General Provisions**

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**1.6 Definitions**

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Special Event Facility - An establishment and/or premises which is reserved by individuals or groups via appointment for limited engagement(s) to accommodate gatherings and functions, both private and public, including, but not limited to, banquets, weddings, anniversaries, receptions, conferences, markets, and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; 2) the sale of alcoholic beverages for on-premises consumption, only during scheduled events and not open to the general public; and 3) outdoor gardens or reception facilities.

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**APPENDIX E. - ZONING USE REGULATIONS (CHARTS)**

	Residential Uses						Nonresidential Uses								
PERSONAL AND BUSINESS SERVICES	AG	SF-1	SF-2	SF-4	SF-5	MF-1	O	LR	GR	CS	HO*	I	GUI	PR	PP
<u>Special Event Facilities</u>									<u>C</u>	<u>C</u>	<u>C</u>				