

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2021-__

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 30, EXHIBIT A: SECTION 3.14; AND AMENDING APPENDIX E: ZONING USE REGULATIONS (CHARTS) PERMITTED USE PROVISIONS FOR DISTRICTS ZONED AS GOVERNMENT/UTILITY/INSTITUTIONAL RELATED TO USES INCLUDING ACCESSORY STRUCTURES; 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 accessory structure as uses in areas zoned GUI;

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 accessory structures in areas zoned GUI 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 16, 2020 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 12, 2021 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 3.14 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 12th day of January 2021, by a vote of ____ (ayes) to ____ (nays) to ____ (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

CODE OF ORDINANCES

CHAPTER 30: ZONING

EXHIBIT A: ZONING ORDINANCE

SECTION 1: GENERAL PROVISIONS

3.14: Government/Utility/Institutional (GUI)

3.14.1 Description: The GUI, Government/Utility/Institutional District is intended to provide for the siting of government buildings of the State, County, City or Federal governments. It is also intended to provide classification for public utility installations, EMS stations, fire stations, health care facilities, schools and churches, without regard to public or private ownership. This zoning classification may, with City Council approval, be applied to properties situated anywhere within the city limits.

3.14.2. Permitted Uses: Those uses defined as public services, government facilities or schools and churches on the Zoning Use Charts are authorized uses permitted by right.

3.14.3. Height Regulations:

(a) Main Building(s): Maximum two and one-half (2-1/2) stories, or forty feet (40'), whichever is less, for the main building or house.

(b) Accessory Building(s): Maximum twenty-five feet (25') for other accessory buildings, including a detached garage ~~or accessory dwelling units.~~

(c) Other: Refer to Section 5, Development Standards & Use Regulations for other regulations.

(d) ~~Accessory Uses~~ Dwelling(s): ~~can include an Accessory Dwelling.~~ Maximum two stories, or thirty feet (30'), whichever is less, ~~for the Accessory Dwelling.~~

3.14.4. Area Regulations:

(a) Size of Lots:

(1) Minimum Lot Area: Seven thousand square feet (7,000 sq. ft.).

(2) Minimum Lot Width: Seventy feet (70').

(3) Minimum Lot Depth: One hundred feet (100').

(b) Size of Yards:

(1) Minimum Front Yard - Minimum twenty feet (20').

(2) Minimum Side Yard - Minimum ten feet (10'); or twenty feet (20') from a property zoned SF-5 or more restrictive.

(3) Minimum Rear Yard - Minimum twenty feet (20') for the main building.

(c) Impervious Cover: Fifty percent (50%).

3.14.5. Special Requirements:

- (a) On-Site Dwellings: Recreational vehicles, manufactured homes, travel trailers or motor homes may not be used for on-site purposes.
- (b) Open Storage: Open storage is prohibited unless permitted by conditional use permit.
- (c) Site plan approval shall be required for any nonresidential use (such as a school, church, child-care center, private recreation facility, etc.).
- (d) Other Regulations: Refer to Section 5, Development Standards & Use Regulations.
- (e) Accessory Dwelling: an Accessory Dwelling is allowed in this zoning district and may be a primary living space that is secondary to a primary nonresidential use so long as the use otherwise meets the definition of Accessory Dwelling.

CHAPTER 30: ZONING
EXHIBIT A: ZONING ORDINANCE
APPENDIX E: ZONING USE REGULATIONS (CHARTS)

Amend the chart to include the following:

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