



STAFF REPORT
City of Dripping Springs
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Dripping Springs, TX 78620

Submitted By: Aniz Alani, City Attorney

Commission Meeting Date: August 6, 2026

Agenda Item Wording: Discussion and possible action on proposed amendments to the City of Dripping Springs' Historic Preservation Ordinance and Historic District Ordinance.

Summary/Background: The City has been reviewing updates to its historic preservation regulations. A draft ordinance is provided for Commission review.

Summary of Proposed Changes

The proposed ordinance revisions are intended to improve readability, usability, internal consistency, and administration of the City's historic preservation regulations. Most changes are organizational or clarifying. The principal substantive updates are summarized below.

1. Plain-Language and Formatting Updates

The revised ordinance reorganizes Division 2 into clearer sections with plain-language headings. The revisions are intended to make the ordinance easier for applicants, property owners, staff, the Historic Preservation Commission, and City Council to use.

The revised draft also follows a more consistent ordinance structure, using sections, paragraphs, and subsections so that provisions are easier to cite and administer.

2. Certificate of Appropriateness Process

The revised Division 2 clarifies when a **Certificate of Appropriateness** or **COA** is required and distinguishes among:

- Ordinary repairs and maintenance;
- Administrative COAs for minor work;
- Commission-level COAs;

- Alternative exterior design standards;
- Demolition or relocation requests;
- Economic hardship requests; and
- Enforcement and stop-work procedures.

The revised draft also clarifies that COA review deadlines run from a **complete** or **deemed complete** application, rather than from an incomplete submission.

3. Administrative COA for Minor Work

The revised ordinance clarifies which minor work may qualify for administrative review by the Historic Preservation Officer. This is intended to make the process more predictable and efficient while preserving Commission review for more significant work.

4. Demolition and Replacement Safeguards

The revised Division 2 includes new language addressing demolition requests where an applicant proposes to demolish a historic landmark, historic resource, or contributing structure and replace it with new construction.

The purpose of this provision is to address the concern that an applicant could obtain demolition approval based on a proposed replacement building, demolish the historic resource, and then fail to construct the replacement project or sell the cleared property.

The draft allows the City to condition demolition approval on safeguards such as:

- Approval of the replacement building;
- Issuance of required permits for the replacement building;
- A demolition and replacement agreement;
- A recorded covenant or notice;
- Construction deadlines;
- Site stabilization requirements; and
- Financial security.

These safeguards are discretionary tools and would be applied as appropriate based on the facts of a particular application.

5. Division 3 Historic District Provisions

The full ordinance package now includes the revised Division 3 historic district provisions for:

- Mercer Street Historic District Overlay;
- Old Fitzhugh Road Historic District Overlay; and
- Hays Street Historic District Overlay.

Division 3 includes district-specific standards for uses, building height, building width, building footprint, setbacks, materials, porches, roofs, parking, landscaping, trees, sidewalks, and other district-specific requirements.

6. Base Zoning and Historic Overlay Relationship

The revised Division 3 clarifies that property in a historic overlay district must comply with both the base zoning district and the historic overlay district. If the historic overlay district is more restrictive, the historic overlay district controls.

A use must be allowed by both the base zoning district and the applicable historic overlay district.

7. Incentives

Incentive provisions were revised to better integrate with the ordinance structure:

1. **Division 2** now preserves general City Council authority to approve incentives for historic preservation by ordinance, resolution, agreement, fee schedule, or other formal action.
2. **Division 2** distinguishes between incentives for properties located within historic districts and incentives for historic landmarks or historic resources located outside a historic district.
3. **Division 3** now codifies the historic district incentive provisions formerly reflected in Resolution No. 2015-26, as applicable to properties located within the Mercer Street, Old Fitzhugh Road, and Hays Street historic districts.

Landmark incentives for properties located outside historic districts remain available for City Council consideration on a case-by-case basis by resolution, agreement, or other formal action.

Concordance Table A concordance table comparing the existing ordinance to the proposed Draft Ordinance is attached and is intended to help the Commission identify the principal differences between the current ordinance and the proposed amendments.

Key Policy Questions for HPC Feedback The Commission may wish to provide feedback on the following items:

1. Whether the COA process is clear and workable for applicants and staff.
2. Whether the administrative COA categories appropriately identify minor work that can be reviewed by the Historic Preservation Officer.
3. Whether the demolition and replacement safeguards are appropriate and should remain in the draft ordinance.
4. Whether the district-specific standards in Division 3 accurately reflect the desired standards for the Mercer Street, Old Fitzhugh Road, and Hays Street historic districts.
5. Whether the historic district incentives should be codified in Division 3, remain in a separate resolution, or be handled through some combination of ordinance and resolution.
6. Whether incentives should be discretionary, automatic upon eligibility, or discretionary subject to eligibility criteria.
7. Whether landmark incentives outside historic districts should continue to be considered on a case-by-case basis by City Council.

HPC Action Options The Historic Preservation Commission may take any of the following actions:

1. **Provide feedback only.** The Commission may discuss some or all of the draft ordinance and provide feedback to staff without making a formal recommendation.
2. **Recommend approval as presented.** The Commission may recommend that City Council adopt the full draft ordinance as presented.
3. **Recommend approval with changes.** The Commission may identify specific changes for staff to incorporate before the ordinance proceeds to City Council.
4. **Request further staff revisions.** The Commission may ask staff to incorporate additional changes and return with a revised ordinance at the next HPC meeting.

5. **Continue or revisit the item.** The Commission may request that the ordinance be brought back for further discussion before making a recommendation to City Council.

Staff Recommendation Staff recommends that the Historic Preservation Commission review the full revised draft ordinance package and provide feedback on any provisions the Commission believes should be revised before City Council consideration.

If the Commission is comfortable with the draft, staff recommends that the Commission forward a recommendation of approval to City Council, subject to final legal review, codification review, and any non-substantive formatting or cross-reference corrections.

Attachments: Draft Ordinance
Concordance Table