



STAFF REPORT
City of Dripping Springs
PO Box 384
511 Mercer Street
Dripping Springs, TX 78620

Submitted By: Laura Mueller, City Attorney

Council Meeting Date: September 7, 2021

Agenda Item Wording: **Discuss and consider approval an Ordinance Amending Section 7.2 Replatting without Vacating Chapter 28, Exhibit A Subdivision to provide clarification on covenants and restrictions requiring vacation of plats prior to replatting.**

Agenda Item Requestor: Laura Mueller, City Attorney

Summary/Background: The Planning Department receives replat applications each month. Consistently these replats require an additional step because of the additional wording in our current ordinance elevating all plat notes to “restrictions and covenants” on the plat therefore requiring a vacation of the previous plat in addition to the replat review. This vacation requirement requires signatures for additional individuals in addition to what is required for a replat. The change would allow staff to determine whether a requirement on a plat was a restriction or covenant requiring a vacation. Even without a vacation, these applications would have to meet all other city requirements. In addition, we removed a reference to deed restrictions as the City cannot use a deed restriction as a reason to deny a replat.

Commission Recommendations: N/A

Recommended Council Actions: Approval of the ordinance.

Attachments: Ordinance and Staff Report

Next Steps/Schedule: If approved, the code will be updated.