

City of Dripping Springs

Sign Ordinance

ORDINANCE No. YYYY-##

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, REPEALING AND REPLACING CHAPTER 26 (SIGNS) OF THE CITY OF DRIPPING SPRINGS CODE OF ORDINANCES; ADOPTING REVISED SIGN REGULATIONS, PROCEDURES, AND APPENDICES IN THE FORM ATTACHED HERETO AS EXHIBIT "A"; PRESERVING AND RECODIFYING EXISTING PROJECT-SPECIFIC MASTER SIGN PLANS THROUGH ARTICLE 26.11 OF EXHIBIT "A"; PROVIDING FOR FINDINGS OF FACT; ENACTMENT; ADOPTION OF EXHIBIT "A"; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs has adopted sign regulations codified in Chapter 26 of the City of Dripping Springs Code of Ordinances; and

WHEREAS, the City Council finds that signs are an important way for businesses, residents, property owners, public agencies, and other speakers to communicate, and that the size, height, location, lighting, construction, and design of signs may affect traffic safety, pedestrian safety, visual clutter, neighborhood character, scenic views, dark skies, and the historic Hill Country character of the City; and

WHEREAS, the City Council further finds that the City's existing sign regulations would benefit from reorganization, clarification, updated applicant guidance, improved procedures, revised standards addressing modern sign types, improved treatment of existing and nonconforming signs, and a clearer framework for project-specific master sign plans; and

WHEREAS, the City Council desires to repeal and replace existing Chapter 26 and to adopt a revised Chapter 26 in the form attached to this Ordinance as Exhibit "A"; and

WHEREAS, the City Council further desires that Exhibit "A" preserve and recodify existing project-specific master sign plans through Article 26.11 and provide a consistent codification framework for future project-specific master sign plans; and

WHEREAS, the City Council finds that adoption of revised Chapter 26 in the form of Exhibit "A" promotes the public health, safety, welfare, traffic safety, business visibility, community character, historic preservation, dark-sky protection, orderly administration of the City's sign regulations, and clearer distinction between non-sign art or decorative treatment and regulated signage; and

WHEREAS, pursuant to Section 51.001, Texas Local Government Code, the City has general authority to adopt ordinances and regulations necessary or proper for the good government, peace, and order of the City; and

WHEREAS, pursuant to Chapter 216, Texas Local Government Code, the City has authority to regulate signs and billboards within the City and, to the extent authorized by law, within the City's extraterritorial jurisdiction; and

WHEREAS, the City Council finds that adoption of this Ordinance and Exhibit "A" is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Dripping Springs, Texas:

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

The City Council hereby repeals and replaces Chapter 26 (Signs) of the City of Dripping Springs Code of Ordinances and adopts revised Chapter 26 in the form attached to this Ordinance as **Exhibit "A"**, which is incorporated herein for all purposes as if fully set forth in the body of this Ordinance.

3. Adoption of Exhibit "A"

- (a) Exhibit "A," attached hereto and incorporated herein, shall constitute the adopted text of revised Chapter 26 (Signs) of the City of Dripping Springs Code of Ordinances.
- (b) Exhibit "A" includes, without limitation:
 - (1) general sign provisions, definitions, and interpretive rules;
 - (2) sign standards by property type;
 - (3) permit, variance, appeal, and master sign plan procedures;
 - (4) existing, nonconforming, abandoned, and damaged sign provisions;
 - (5) enforcement, violations, and remedies provisions;
 - (6) applicant and quick-reference appendices; and
 - (7) Article 26.11 preserving and recodifying existing project-specific master sign plans and establishing a codification framework for future project-specific master sign plans.

- (c) To the extent Exhibit "A" identifies that a site-specific master sign plan, development agreement, planned development ordinance, historic district standard, or other site-specific ordinance controls when it expressly modifies a sign standard, such hierarchy shall apply as stated in Exhibit "A".

4. Repeal and Replacement of Existing Chapter 26

Upon the effective date of this Ordinance, the existing text of Chapter 26 (Signs) is repealed and replaced in its entirety by Exhibit "A," except that nothing in this Ordinance is intended to invalidate, repeal, impair, or terminate a previously approved project-specific master sign plan except to the extent expressly stated in Exhibit "A" or another subsequently adopted ordinance.

5. Preservation and Recodification of Existing Project-Specific Master Sign Plans

The City Council hereby adopts the preservation and recodification framework set forth in Article 26.11 of Exhibit "A." Existing project-specific master sign plans preserved by Exhibit "A" shall remain valid and controlling according to their terms and the hierarchy rules stated in Exhibit "A."

6. Codification and Records

- (a) The City Secretary is hereby directed to record this Ordinance in the official records of the City and to cause the City's Code of Ordinances, codification materials, and related City records to be updated to reflect adoption of Exhibit "A" as Chapter 26 (Signs).
- (b) The City Secretary, City Administrator, Planning Director, Building Official, and their designees are authorized to make non-substantive formatting, numbering, captioning, citation, and codification adjustments necessary to incorporate Exhibit "A" into the City Code, provided that no such adjustment changes the substantive meaning of the adopted regulations.

7. Repealer

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, orders, resolutions, rules, regulations, and parts thereof that are in conflict or inconsistent with this Ordinance or Exhibit "A" are hereby repealed to the extent of such conflict, and this Ordinance together with Exhibit "A" shall control as to the matters regulated herein.

8. Severability

Should any clause, sentence, paragraph, subsection, section, exhibit provision, or part of this Ordinance or Exhibit "A" 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 or Exhibit "A," which shall remain in full force and effect.

9. Effective Date

This Ordinance shall take effect immediately upon passage and publication as provided by law.

10. Proper Notice and Meeting

It is officially found and determined that the meeting at which this Ordinance was considered and adopted was open to the public, that public notice of the time, place, and purpose of the meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, and that all other notices required by law in connection with adoption of this Ordinance were provided.

PASSED & APPROVED this, the ____ day of XXX, _____, 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:

Diana Boone, City Secretary