

CITY OF DRIPPING SPRINGS

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 30: EXHIBIT “A”, SECTION 4: OVERLAY DISTRICTS: DIVISION 2. HISTORIC PRESERVATION COMMISSION; SECTION 4.2.13 CERTIFICATE OF APPROPRIATENESS REQUIRED; EXPIRATION; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

- WHEREAS,** the City is committed to the preservation of historic places as seen by the City establishing a Historic Preservation Commission (“Commission”) and adopting a Historic Preservation Ordinance; and
- WHEREAS,** this additional review process shall allow the Commission to ensure any proposed construction in the City’s historic districts is harmonious to each particular district; and
- WHEREAS,** pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to establish districts and regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land within the districts; and
- WHEREAS,** the City Council finds it to be reasonable, necessary, and in the public interest to adopt the proposed amendments to the Historic Preservation Ordinance; 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,** the City published the proposed amendment on the City website and social media for public comment; and
- WHEREAS,** after notice and hearing required by law, a public hearing was held before the Dripping Springs Historic Preservation Commission on April 1, 2021 to consider the proposed amendment and the Commission recommended approval of the proposed change; and

WHEREAS, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on April 27, 2021 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 May 11, 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 amending regulations of Mobile Food Vendors.

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 4: Overlay Districts: Division 2: Historic Preservation Commission: Section 4.2.13: Certificated of Appropriateness 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 _____, 2021, 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