



# Mobile Food Vendors on Mercer Street

# Certificate of Appropriateness Appeal Process

## Current Process

COA is denied by Historic  
Preservation Commission

Applicant Appeals

P&Z denies COA

Applicant Appeals

City Council makes final  
determination.

## Proposed Process

COA is denied by  
Historic Preservation  
Commission

Applicant Appeals

City Council makes  
final determination.

# Certificate of Appropriateness Appeal Process-Proposed

- ▶ Appeals go straight to City Council
- ▶ Unanimous Denial by HPC would require supermajority of City Council to overrule denial

*“Unanimously Denied by Commission: If commission unanimously recommends denial, approval by the city council shall require an affirmative vote by a two-thirds majority of those present and voting.”*

# Mobile Food Vendors on Mercer Street-Current Ordinance

- ▶ Historic Preservation Commission Reviews Certificate of Appropriateness for Mobile Food Vendor
  - ▶ “complementary extension, or outlet, of a brick-and-mortar restaurant or business”
  - ▶ Meets other historic district requirements for Certificate of Appropriateness
  - ▶ Can only operate during hours of main business operation
  - ▶ Requires Conditional Use Permit

**HISTORIC PRESERVATION MANUAL  
CERTIFICATE OF APPROPRIATENESS REVIEW**

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Date: Month, Day, Year

Project: **EXAMPLE PROJECT**  
Street Address  
Dripping Springs, TX 78620

Applicant: (Applicant)

Historic District: (Mercer Street / Old Fitzhugh Road / Hays Street)

Base Zoning: SF-1 / SF-4 / SF-5 / LR / CS / GUI

Proposed Use: (Shops, Restaurant, Offices, Residential, etc)

Submittals:  Current Photograph  Concept Site Plan  Exterior Elevations  
 Color & Materials Samples  
 Sign Permit Application (if applicable)  
 Building Permit Application (if applicable)  
 Alternative Design Standards (if applicable)

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The following review has been conducted for the City of Dripping Springs to determine compliance and consistency with the City of Dripping Springs CODE OF ORDINANCES, Title 2 BUILDING AND DEVELOPMENT REGULATIONS, Chapter 24, BUILDING REGULATIONS, Article 24.07: HISTORIC PRESERVATION, Section 24.07.014: "CRITERIA FOR ISSUANCE OF CERTIFICATE OF APPROPRIATENESS."

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**Project Type & Description:**

Preservation  Rehabilitation  Restoration  Reconstruction  Protection & Stabilization

# Mobile Food Vendors on Mercer Street-Options

- ▶ No change while the overall rewrite is underway. The Planning Department is rewriting the entire Zoning Code and can include these types of changes to its overall analysis.
- ▶ Prohibit all permanent mobile food vendors from Mercer Street.
- ▶ Prohibit all permanent mobile food vendors from 100 feet of Mercer Street.
- ▶ Require all Mobile Food Vendors to be screened from the right-of-way.
- ▶ Remove requirement of Certificate of Appropriateness from the review of Mobile Food Vendors in Mercer Street but require approval of Historic Preservation Officer when reviewing the Conditional Use Permit.



**Check out  
Preserve Dripping Springs!**

Preserve Dripping Springs is the process to review and update the current Zoning Code with the goal to preserve and enhance the character and charm of Dripping Springs!

Click [here](#) for more details and to see how you can give input through our Development Code Survey!

# Mobile Food Vendors on Mercer Street-No Change

- ▶ No change while the overall rewrite is underway. The Planning Department is rewriting the entire Zoning Code and can include any changes to its overall analysis.



The graphic is a rectangular banner with a dark blue background. On the left side, there is a circular logo with a dark blue background. The logo contains the word "Preserve" in large white letters, "Dripping Springs" in smaller white letters below it, and "Development Code Update" in white letters at the bottom. The logo also features a white silhouette of a town skyline and a water droplet icon. On the right side of the banner, the text "Check out Preserve Dripping Springs!" is written in white, with "Check out" in a smaller font. Below this, a paragraph explains that the process is to review and update the current Zoning Code to preserve and enhance the character and charm of Dripping Springs. At the bottom, a call to action asks users to click [here](#) for more details and to see how they can give input through the Development Code Survey.

*Check out*  
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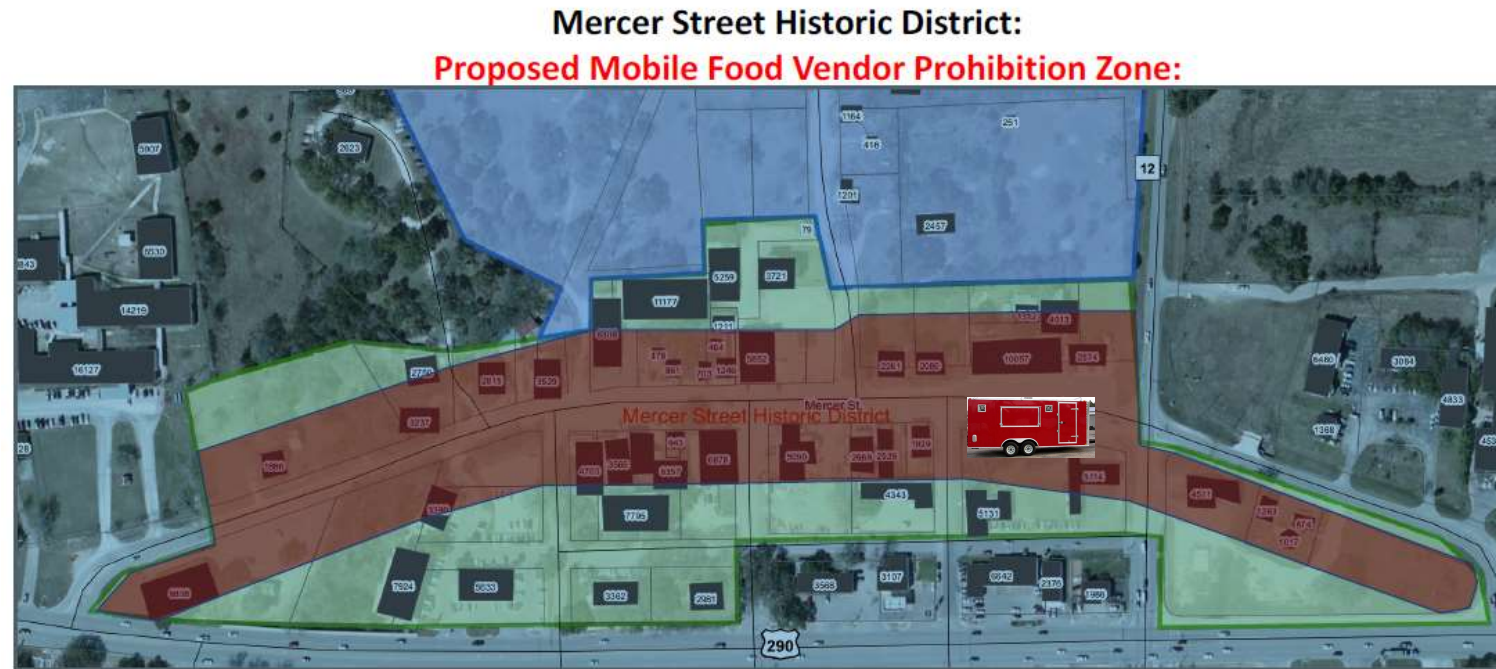
# Mobile Food Vendors on Mercer Street- Prohibit All Food Vendors on Mercer Street

- ▶ Prohibit all permanent mobile food vendors from Mercer Street.



# Mobile Food Vendors on Mercer Street- Prohibit All Food Vendors on Mercer Street within 100 feet

- ▶ Prohibit all permanent mobile food vendors from 100 feet of Mercer Street.



**100' from Mercer Street Frontage ROW**



# Mobile Food Vendors on Mercer Street- Require Screening for Food Vendors on Mercer Street

- ▶ Require all Mobile Food Vendors to be screened from the right-of-way.
  - Less visible
  - Screening: masonry or wood with landscaping elements, 6 to 8 ft
  - match the current distinguishing original qualities or character of the adjacent building or structure
  - distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed by the placement of a mobile food vendor
  - alternative exterior design standards
  - Hays Street and Old Fitzhugh remain unchanged



# Mobile Food Vendors on Mercer – Remove COA requirements from MFV on Mercer Street

Remove requirement of Certificate of Appropriateness from the review of Mobile Food Vendors in Mercer Street but require approval of Historic Preservation Officer when reviewing the Conditional Use Permit.

- No COA would be required for a Mobile Food Vendor on Mercer Street as a temporary addition to a business
- CUP would still be required



# Staff Recommendation-Procedural

- ▶ Approve Procedural changes:
  - ▶ Appeals go straight to City Council
  - ▶ Unanimous Denial by HPC would require supermajority of City Council to overrule denial



## Staff Recommendation- Substantive

- ▶ Wait to make change in the Zoning Rewrite
- ▶ In the alternative:
  - ▶ approve removal of COA requirement because mobile food vendors are temporary additions and do not affect the structure of the buildings





**Preserve**  
Dripping Springs  
**Development Code Update**

*Check out*  
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Questions?