City of Dripping Springs

Master Sign Plan For Headwaters East Commercial Subdivision

ORDINANCE No. 2026-##

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, AMENDING CHAPTER 26 OF THE DRIPPING SPRINGS CODE OF ORDINANCES BY AMENDING SECTION 26.11.202 TO ADOPT AND INCORPORATE BY REFERENCE THE "MASTER SIGN PLAN FOR HEADWATERS EAST COMMERCIAL SUBDIVISION"; ESTABLISHING SITE-SPECIFIC SIGN REGULATIONS FOR THE HEADWATERS EAST COMMERCIAL SUBDIVISION; PROVIDING FINDINGS OF FACT; PROVIDING FOR APPLICABILITY, ADMINISTRATION, PERMITTING, STANDARDS, PROCEDURES, ENFORCEMENT, PENALTIES, SEVERABILITY, CODIFICATION, PUBLICATION, AND AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt ordinances and police regulations that are for the good government, peace, or order of the City and are necessary or proper for carrying out powers granted by law; and

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

WHEREAS pursuant to Texas Local Government Code Chapter 211, the City has authority to regulate land use and development within the City limits; and

WHEREAS, the Headwaters Commercial Tract is governed by Planned Development District No. 6, approved November 8, 2016, which references the Headwaters at Barton Creek Development Agreement, as amended or restated; and

WHEREAS, this Ordinance approves a project-specific master sign plan and does not amend the Headwaters at Barton Creek Development Agreement or any other development agreement; and

WHEREAS, the City Council finds that the Property presents site-specific conditions, including the size and depth of the development, the number and scale of tenants and buildings, internal circulation needs, topography, highway visibility conditions, and distance from U.S. Highway 290, that warrant coordinated, site-specific sign regulations through a master sign plan; and

WHEREAS, the City Council finds that a master sign plan is a more efficient and orderly method for regulating signs on the Property than repeated individual variance requests; and

WHEREAS, the City Council finds that the sign standards adopted by this Ordinance provide coordinated design, improve readability and wayfinding, reduce visual clutter, use durable materials and compatible colors, protect traffic and pedestrian safety, comply with the City's outdoor lighting requirements, respect the City's Hill Country character, and do not discriminate based on message, speaker, or viewpoint; and

WHEREAS, the City Council finds that the monument signs, directional signs, wall signs, secondary signs, window signs, flagpole allowance, sign-area measurement standards, and other site-specific standards approved by this Ordinance are reasonable, appropriate, and compatible with the overall design and setting of the Property; and

WHEREAS, Ordinance No. 2018-20 adopted the Master Sign Plan for the Headwaters Subdivision, preserved in Section 26.11.106, and the City Council intends to establish the relationship between that plan and this Master Sign Plan without repealing the subdivision plan as a whole; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt an ordinance approving the Master Sign Plan for the Headwaters East Commercial Subdivision.

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.

(a) Chapter 26 of the Dripping Springs Code of Ordinances is amended by adding Section 26.11.202, "Master Sign Plan for Headwaters East Commercial Subdivision," as set forth in Attachment "A" to this Ordinance.

(b) The City Council adopts the Master Sign Plan for Headwaters East Commercial Subdivision set forth in Attachment "B" to this Ordinance, including Exhibit A to that Master Sign Plan.

(c) Attachments "A" and "B," including Exhibit A to Attachment "B," are incorporated into this Ordinance.

3. **Relationship to other approvals and law**This Master Sign Plan controls over inconsistent general provisions of Chapter 26 only for the Property and only to the extent it expressly addresses or modifies the issue. Chapter 26 governs all other sign matters.

   (b) Ordinance No. 2018-20 and the Master Sign Plan for the Headwaters Subdivision preserved in Section 26.11.106 remain in effect. To the extent that plan applies to the Property, this Master Sign Plan supersedes its inconsistent requirements only for signs expressly authorized by this Master Sign Plan. This Ordinance does not cancel or relocate an existing sign approved under Ordinance No. 2018-20 or enlarge that ordinance's sign allowances.

   (c) This Ordinance does not amend Planned Development District No. 6 or any development agreement. Their requirements remain applicable according to their terms. Approval of this Master Sign Plan does not constitute approval of a separate contractual or planned-development amendment.

   (d) Approval of this Master Sign Plan does not waive applicable outdoor-lighting, building, electrical, fire, historic-preservation, right-of-way, utility, state, or federal requirements.

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 directed to codify Section 26.11.202 as set forth in Attachment "A." The Master Sign Plan in Attachment "B," including its Exhibit A, shall be incorporated by reference rather than reproduced in full in the Code. The City Secretary shall maintain the official copy of this Ordinance, both attachments, the exhibit, and all subsequent amendments and conditions of approval. Non-substantive formatting, numbering, and cross-reference corrections may be made without changing the meaning or effect of this Ordinance.

6. **Effective date.** This Ordinance shall be effective immediately upon passage and publication of caption.

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 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

CHAPTER 26. SIGNS

Article 26.11 Preserved and Future Project-Specific Master Sign Plans

Section 26.11.202. Master Sign Plan for Headwaters East Commercial Subdivision

(a) The Master Sign Plan for Headwaters East Commercial Subdivision, adopted by Ordinance No. [insert assigned ordinance number] as Attachment "B," including its Exhibit A, is adopted and incorporated by reference.

(b) The plan applies only to the development, buildings, signs, and sign zones identified in the plan, subject to its scope and limitations.

(c) The plan controls over inconsistent general provisions of Chapter 26 only to the extent it expressly addresses or modifies the issue. Its relationship to other site-specific approvals is governed by the adopting ordinance.

(d) Signs and sign matters not expressly addressed or modified by the plan shall comply with the generally applicable provisions of Chapter 26.

(e) The City Secretary shall maintain the official copy of the plan, including its exhibit, amendments, and conditions of approval.