

CITY OF DRIPPING SPRINGS

ORDINANCE NO. 1220.149

ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 30, EXHIBIT A: SECTION 1.6.2; AND AMENDING APPENDIX E: ZONING USE REGULATIONS (CHARTS) PERMITTED USE PROVISIONS FOR DISTRICTS ZONED AS GENERAL RETAIL, COMMERCIAL SERVICES, LOCAL RETAIL, AND HISTORIC OVERLAY RELATED TO USES INCLUDING BAR USE AND THE SALE AND CONSUMPTION OF ALCOHOL IN SUCH; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Dripping Springs (the “City”) City Council seeks to provide procedures and standards for regulating Bars and such other establishments that would fall under Bar Use within the city limits; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, a city may establish zoning regulations for the purpose of promoting the public health, safety, morals, or general welfare; and

WHEREAS, the City has found the regulation of the operation of Bars to be in the best interest of promoting public health and safety; and

WHEREAS, the City seeks to allow the operation of Bars in the areas zoned as General Retail District, Commercial Services District, Local Retail District, and Historic Overlay District subject to Conditional Use Permits; 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, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on October 24, 2017 to consider the proposed amendment and the Planning and Zoning Commission recommended approval of the proposed change; and

WHEREAS, after public hearing was held by the City Council on November 14, 2017 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 regulating Bars.

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 1.6.2 and Appendix E: Zoning Use Regulations (Charts) of the Dripping Springs Code of Ordinances are hereby amended to read in accordance with *Attachment "A"* and *Attachment "B"* which are attached hereto and incorporated into this Ordinance and the City Code for all intents and purposes.

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.

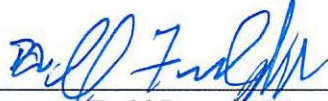
7. PROPER NOTICE AND MEETING

It is hereby 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 AND APPROVED this, the 14th day of November 2017, by a vote of 3 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS



Todd Purcell, Mayor

BILL FOWLES, MAYOR PRO TEM

ATTEST:



Andrea Cunningham, City Secretary



City of Dripping Springs
CODE OF ORDINANCES
CHAPTER 30: ZONING
EXHIBIT A: ZONING ORDINANCE
SECTION 1: GENERAL PROVISIONS

1.6 **Definitions**

1.6.2 **Specific:**

Bar. Use of a site for retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges, and similar uses, except for restaurants.

CHAPTER 30: ZONING
EXHIBIT A: ZONING ORDINANCE
APPENDIX E: ZONING USE REGULATIONS (CHARTS)

Amend the chart to include the following:

<u>Residential Uses</u>							<u>Nonresidential Uses</u>								
	AG	SF-1	SF-2	SF-4	SF-5	MF-1	O	LR	GR	CS	HO	I	GUI	PR	PP
<u>Bar</u>								<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>				