

**CITY OF DRIPPING SPRINGS**

**HISTORIC OVERLAY DISTRICT EXPANSION  
ORDINANCE TO INCLUDE HAYS STREET**

**ORDINANCE NO. 1220.109**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, AMENDING THE ZONING ORDINANCE, CHAPTER 30 OF THE CODE OF ORDINANCES AND ORDINANCE NO. 1220.99 ADDING CERTAIN REAL PROPERTY IN THE HAYS STREET AREA IN THE CITY LIMITS TO EXPAND THE HISTORIC OVERLAY DISTRICT; AMENDING THE OFFICIAL ZONING MAP TO REFLECT CHANGES OF THE ZONING CLASSIFICATION OF CERTAIN PROPERTIES IN THE HAYS STREET AREA; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, ENACTMENT, REPEALER, SEVERABILITY, CODIFICATION, EFFECTIVE DATE, AND PROPER NOTICE & MEETING.

- WHEREAS**, the City of Dripping Springs (“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 Code (Article 24.07); and
- WHEREAS**, the City Council of the City of Dripping Springs (“City Council”) seeks to preserve the quality of the existing historic places in the City Limits; and
- WHEREAS**, based on findings provided by historic consultants, land planners and architects, the City Council established three historic districts to preserve and protect historic places in or near Mercer Street, Old Fitzhugh Road, and Hays Street; and
- WHEREAS**, in addition to the historic districts, by Ordinance No. 1220.99, the City Council established a Historic District Overlay for the Mercer Street and Old Fitzhugh Road historic districts to regulate land uses in those historic areas; and
- WHEREAS**, the City Council seeks to expand the Historic District Overlay to include the Hays Street area; and
- WHEREAS**, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property within the city limits; and
- WHEREAS**, the proposed changes were reviewed by City staff with the consensus being that the proposed changes are warranted, reasonable under the circumstances, and consistent with the Comprehensive Plan; and
- WHEREAS**, Dripping Springs Historic Preservation Commission recommended that the following zoning be enacted on the 2<sup>nd</sup> day of February 2015, after public notice and a public hearing; and

**WHEREAS**, Dripping Springs Planning and Zoning Commission recommended that the following zoning be enacted on the 5<sup>th</sup> day of February 2015, after public notice and a public hearing; and

**WHEREAS**, after public hearing held by the City Council on the 17<sup>th</sup> day of February 2015, the City Council voted to accept the recommendation of the Planning and Zoning Commission finding that the requested zoning satisfies the standards established by state law and the criteria required by the Code of Ordinances.

**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 of the City of Dripping Springs Code of Ordinances is hereby amended, and after such enactment shall read in accordance with *Attachment A*, which is attached hereto and incorporated into this Ordinance 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 & MEETING

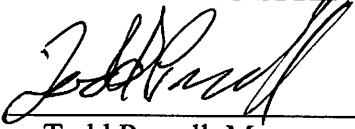
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**RECOMMENDED this, the 2<sup>nd</sup> day of February 2015, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the Historic Preservation Commission of Dripping Springs, Texas.**

**RECOMMENDED this, the 5<sup>th</sup> day of February 2015, by a vote of 3 (ayes) to 2 (nays) to 0 (abstentions) of the Planning and Zoning Commission of Dripping Springs, Texas.**

**PASSED & APPROVED this, the 17<sup>th</sup> day of February 2015, by a vote of 3 (ayes) to 2 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

by:   
\_\_\_\_\_  
Todd Purcell, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Kerri Craig, City Secretary

City of Dripping Springs

# CODE OF ORDINANCES

## TITLE II: BUILDING & DEVELOPMENT REGULATIONS

### CHAPTER 30: ZONING

#### EXHIBIT A: ZONING ORDINANCE

**1.1. Applicability**

This Ordinance shall apply solely to the property as depicted on the *Exhibit 1* map ("Historic District Overlay Property"), which is attached hereto and incorporated into this Ordinance for all intents and purposes.

**1.2. Base Zoning District**

Except as provided in section 1.3 (*below*), the Historic District Overlay Property shall be governed by the rules applying in base zoning districts.

**1.3. Overlay Amendment**

The Historic District Overlay, enacted by Ordinance 1220.99, is hereby amended to expand the boundaries to include the Hays Street area as depicted in *Exhibit 1*.

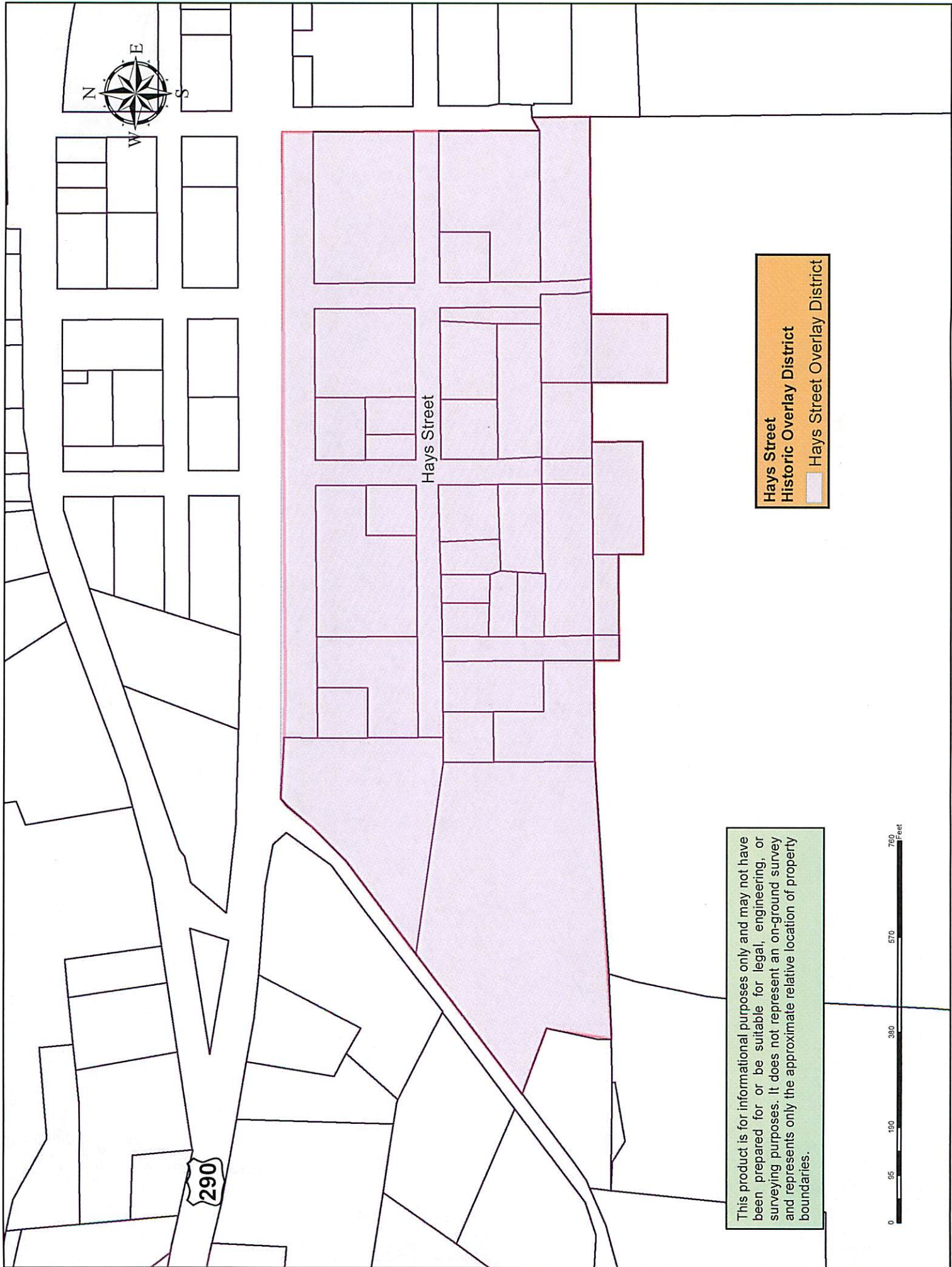
**1.4. Zoning Map**

The above Zoning Classification change shall be made to the Official Zoning Map in conformance with the procedures set forth in the Zoning Ordinance.

**1.5. Use Regulations**

The Zoning Regulations Use Chart in Appendix E, Section E.1 of the City's Code of Ordinances, as amended, shall apply to the uses in the boundaries of the Historic District Overlay Property.

*Exhibit 1*  
*Hays Street Amendment to the Historic Overlay Boundary Map*



290

Hays Street

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-ground survey and represents only the approximate relative location of property boundaries.

**Hays Street**  
**Historic Overlay District**  
[Shaded Area] Hays Street Overlay District

