



Historic Preservation Commission Regular Meeting

Dripping Springs City Hall

511 Mercer Street - Dripping Springs, Texas

Thursday, May 07, 2026, at 4:00 PM

AGENDA

CALL TO ORDER & ROLL CALL

Commission Members

Dean Erickson, Chair
Ashley Bobel, Vice Chair
Delbert Bassett
Haley Hunt
Steve Mallett
Richard Moore
Gwyn Sommerfeld

Staff, Consultants, & Appointed/Elected Officials

City Administrator Michelle Fischer
City Attorney Aniz Alani
Planning Director Tory Carpenter
Senior Planner Sara Varvarigos
City Secretary Diana Boone
Post Oak Preservation Ellis Mumford-Russell

PRESENTATION OF CITIZENS

A member of the public that wishes to address the Commission on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the Commission that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak regarding issues not on the agenda and two (2) minutes per item on the agenda and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the Commission must present the documents to the City Secretary or City Attorney providing at least eight (8) copies; if eight (8) copies are not provided, the Commission will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Chair may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.

MINUTES

- 1. Consider approval of the April 2, 2026 Historic Preservation Commission Regular Meeting Minutes.**

BUSINESS AGENDA

- 2. Public hearing, discussion, and possible action on COA 2026-002: a Certificate of Appropriateness for an exterior paint color update and the addition of the Destination Dripping Springs logo to the exterior of the City of Dripping Springs Visitors Bureau building located at 509 Mercer Street in the Mercer Street Historic District. Applicant: Lisa Sullivan, People & Communications Director, City of Dripping Springs**

- a. Applicant Presentation
- b. Staff Report
- c. Public Hearing
- d. COA 2026-002

- 3. Workshop to facilitate the Historic Preservation Commission's review of proposed amendments to the City of Dripping Springs' Historic Preservation Ordinance and Historic District Ordinance. The Commission will provide additional input about proposed amendments to Chapter 30, Exhibit A, Section 4, Divisions 2 and 3, and Chapter 30, Exhibit E, Zoning Use Regulations Charts, of the City's Code of Ordinances to City Staff.**

- a. Staff Presentation of additional updates to Draft Ordinance revisions
- b. Commission feedback on proposed updates

CLOSED SESSION

The Commission has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), 551.0761 (Deliberation Regarding Critical Infrastructure Facility), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

UPCOMING MEETINGS

Historic Preservation Commission Meetings

June 4, 2026, at 4:00 p.m.
July 2, 2026, at 4:00 p.m.
August 6, 2026, at 4:00 p.m.

City Council Meetings

May 19, 2026, at 6:00 p.m.
June 2, 2026, at 6:00 p.m.
June 16, 2026, at 6:00 p.m.
July 7, 2026, at 6:00 p.m.
July 21, 2026, at 6:00 p.m.

ADJOURN

TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION OF MEETING

I certify that this public meeting is posted in accordance with Texas Government Code Chapter 551, Open Meetings. This meeting agenda is posted on the bulletin board at the City of Dripping Springs City Hall, located at 511 Mercer Street, and on the City website at, www.cityofdrippingsprings.com, on April 29, 2026 at 4:00 p.m.

Diana Boone, City Secretary

This facility is wheelchair accessible. Accessible parking spaces are available. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling (512) 858-4725.



Historic Preservation Commission Regular Meeting

Dripping Springs City Hall

511 Mercer Street - Dripping Springs, Texas

Thursday, April 02, 2026, at 4:00 PM

DRAFT MINUTES

CALL TO ORDER & ROLL CALL

With a quorum of commissioners present, Chair Erickson called the meeting to order at 4:04 p.m.

Commission Members Present

Dean Erickson, Chair
 Ashley Bobel, Vice Chair (*arrived at 4:08 p.m.*)
 Delbert Bassett
 Steve Mallett
 Richard Moore

Commission Members Absent

Haley Hunt
 Gwyn Sommerfeld

Staff, Consultants, & Appointed/Elected Officials

City Administrator Michelle Fischer
 City Attorney Aniz Alani
 Deputy City Administrator Shawn Cox
 Senior Planner Sara Varvarigos
 City Secretary Diana Boone

PRESENTATION OF CITIZENS

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No one spoke during Presentation of Citizens.

MINUTES

1. **Consider approval of the March 5, 2026 Historic Preservation Commission Regular Meeting Minutes.**

A motion was made by Commissioner Bassett and seconded by Commissioner Mallett, to approve the March 5, 2026 minutes. The motion to approve carried unanimously 4 to 0.

BUSINESS AGENDA

2. **Public hearing, discussion, and possible action regarding the Historic Preservation Commission's Fiscal Year 2027 budget recommendation, and budget committee appointments.**

Chair Erickson appointed Commissioners Mallett and Moore to the Historic Preservation Commission Budget Committee

3. **Workshop to facilitate the Historic Preservation Commission's review of proposed amendments to the City of Dripping Springs' Historic Preservation Ordinance and Historic District Ordinance. The Commission will review proposed amendments to Chapter 30, Exhibit A, Section 4, Divisions 2 and 3 of the City's Code of Ordinances and provide feedback to City Staff.**

Vice Chair Bobel arrived at the start of this presentation.

- a. Staff presentation of proposed Ordinance amendments

Senior Planner Sara Varvarigos presented the proposed amendments.

- b. Commission feedback on proposed Ordinance amendments

No action was taken. Report is on file.

Feedback provided to staff include: listing each of the districts (Mercer, Hays, and Old Fitzhugh) and their permitted uses in the Zoning Ordinance Use Chart; clarification of potential ramifications; identifying possible incentives for historic properties and properties in historic districts; possible establishment of fees for Certificate of Appropriateness applications and pre-application meetings; and possible increased fees for properties that do work without a Certificate of Appropriateness or in violation of City regulations.

CLOSED SESSION

The Commission has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel

Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), 551.0761 (Deliberation Regarding Critical Infrastructure Facility), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.

The commission did not meet in Closed Session.

ADJOURN

Chair Erickson adjourned the meeting at 5:19 p.m.



**HISTORIC PRESERVATION MANUAL
CERTIFICATE OF APPROPRIATENESS REVIEW**

Date: **May 7, 2026**

Project: **Visitors Bureau, 509 Mercer Street, Dripping Springs, TX 78620**

Applicant: **Lisa Sullivan, City of Dripping Springs, Communications Director**

Historic District: **Mercer Street Historic District**

Base Zoning: **Government/Utility/Institutional**

Proposed Use: **Paint Color Scheme Update for Visitors Bureau on Mercer Street**

Submittals: Current Photograph Concept Plan Exterior Elevations
 Color & Materials Samples Sign Permit Application

The following review has been conducted by 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."

Project Type & Description:

The City is proposing to update the color scheme of the Visitors Bureau building located at 509 Mercer Street.

Review Summary, General Findings: "Approval"

General Compliance Determination- Compliant Non-Compliant N/A

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P.O. Box 384
Dripping Springs, Texas 78620
512-858-4725

Staff Recommendations / Conditions of Approval:

The Mercer Street Historic District design guidelines promote muted, rustic earth tone paint colors for the body of a building, and a full range of hues for entry doors. The renderings of the proposed updated paint scheme for the Visitors Bureau include a blue earth tone for the body of the building, and a white accent color for the front door, porch posts and balusters, roof fascia, and window shutters and trims.

Staff recommends approval of the Certificate of Appropriateness for the updated paint scheme based on the following conditions:

- a. Behr Jay Bird (S490-5) will be used for the body of the building
- b. Behr Silent White (PPU-13) will be used for the front door, porch posts and balusters, roof fascia, and window shutters and trim

Case History / Findings of Fact:

The Visitors Bureau is located adjacent to the City of Dripping Springs City Hall Building, in the Mercer Historic District. The City is requesting a Certificate of Appropriateness to update the paint color scheme of this non-historic building.

* * *

CERTIFICATE OF APPROPRIATENESS- Staff Review Summary:

Historic Resource Background /Survey Information:

Mercer Historic Resource Preservation Priority Rating: “Low”

Project Overview:

This scope of this project includes:

- Repainting the existing Visitors Bureau building from a tan color to a cool shade of blue
 - Updating the body of the building from a tan color to a cool shade of blue - **Behr Jay Bird (S490-5) or Sherwin Williams Secure Blue (SW6508)**
 - Updating the front door, porch posts and balusters, roof fascia, and window shutters and trims from a brown color to a cool shade of off-white - **Behr Silent White (PPU-13)**
- Adding the Destination Dripping Springs logo to the front exterior of the Visitors Bureau building

* * *

Design Standards Consistency: “**Mercer Street Historic District**”

Character/Vision: “Historic Main Street; Foster a Community Focal Point; Preserve Historic Resources- Rehab & Adaptive Reuse; Promote Revitalization”- The proposed paint color scheme and Destination

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Dripping Springs logo will foster a community Focal Point around the Visitors Bureau and present a revitalized image along the Historic “Main” Mercer Street.

Design Principles: “Protect Historic Pedestrian Scale & Main Street Character; Promote Walkable Scale & Sidewalk Activity Zones; Provide Pedestrian Shading Devices at Sidewalk Frontage; New Construction shall be compatible with surroundings” – The updated paint color scheme will provide an inviting appearance to pedestrians passing by the Visitors Bureau, and the updated front porch area will provide welcoming shade to tourists and visitors alike.

Preferred Uses: “Pedestrian Oriented” - This project is encouraging of pedestrian activity, as it will provide an inviting and welcoming appearance to visitors and tourists traveling through the Historic District on foot.

Site Planning & Building Placement: “Mercer St. Frontage: 0’ Setback; Side yard: 0’ Setback” - This project does not alter front and side yard setbacks for the City Hall property in the Mercer Historic District

Parking Arrangement: “Street Parking, Onsite lots in Rear, Offsite Remote Lots” – This project does not alter the existing parking on site

Building Footprint / Massing / Scale: “10,000 SF maximum contiguous footprint, 2,500 SF maximum massing increments, 2 story to 2.5 story height limit” – This project does not alter the existing building footprint

Street Frontage / Articulation: “40’ maximum storefront width or articulation increments” – This project does not modify existing street frontage along Mercer Street

Porches: “Porches / Awnings @ Street across minimum 50% of frontage” – This project does not modify the expanse of the existing porch, which extends over 50% of the building frontage

Roofs: “Flat parapets or sloped metal roofs (standing seam or other approved type and finish)” – This project does not modify the profile or material of the existing roof

Materials: “Native stone or wood on all walls, and wood porch structures and trims” – This project does not modify the material of the existing walls or porch

Color Palette: “Muted, rustic, earth tone hues; Entry Doors- full range of hues” – The renderings of the proposed updated paint scheme for the Visitors Bureau include a blue earth tone for the body of the building, and a white accent color for the front door, porch posts and balusters, roof fascia, and window shutters and trims.

Staff recommends that the updated paint scheme include:

- a. Behr Jay Bird (S490-5) for the body of the building, as this is a darker, more muted shade of blue than the other paint color alternative, Sherwin Williams Secure Blue (SW6508).

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Behr Jay Bird has a Light Reflectance Value (LRV) of 21, compared to Secure Blue, which has a LRV of 50. LRV is a measure of how much visible light is reflected off a surface. It is a number on a scale of 0 to 100, with 0 being pure black and 100 being pure white. The higher the LRV, the more light the color reflects and the lighter it will appear. Therefore, staff recommends Behr Jay Bird as this is a darker and more muted blue paint color.

- b. Behr Silent White (PPU-13) for the front door, porch posts, roof fascia, and window shutters and trim. Behr Silent White is a cool off-white color in the gray family, which aligns with the muted color of the Jay Bird Blue, while also respecting the full range of hues permitted for front doors in the Mercer Historic District.

Staff considers the above color combination to be in alignment with Historic District Guidelines, while also respecting the City of Dripping Springs and Destination Dripping Springs logo and brand color guidelines, which emphasize a “cool blue water” and “Blue Jay bird” theme.

Tree Preservation: “Replace trees over 8ft; Preserve heritage trees over 18 ft¹” – No trees will be removed for this project.

Landscape Features: “Preserve historic walls, gates, fences, outbuildings, cisterns, and notable landscape features” – No notable landscape features will be removed for this project.

CRITERIA FOR CERTIFICATE OF APPROPRIATENESS
(SECTION 24.07.014)

- (a) **STANDARDS & DESIGN GUIDELINES OBSERVED:**
Project is guided by applicable Historic Preservation Standards and Design Guidelines.
 Compliant Non-Compliant Not Applicable
- (b) **MINIMAL ALTERATION:**
Reasonable efforts made to adapt property requiring minimal alteration of building, structure, object site & environment.
 Compliant Non-Compliant Not Applicable
- (c) **ORIGINAL QUALITIES PRESERVED:**
Distinguishing original qualities or characteristics not destroyed. Removal or alteration of historic material or distinguishing architectural features avoided.
Compliant Non-Compliant Not Applicable
- (d) **PERIOD APPROPRIATENESS:**

¹ Updated Landscaping and Tree Preservation ordinance requires the preservation of all Heritage trees over 18 ft.

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Buildings, structures, objects, sites recognized as products of their own time. Alterations without historic basis or creating an earlier appearance discouraged.

Compliant Non-Compliant Not Applicable

(e) CUMULATIVE & ACQUIRED SIGNIFICANCE:

Cumulative changes with acquired and contributing significance are recognized and respected.

Compliant Non-Compliant Not Applicable

(f) DISTINCTIVE STYLISTIC FEATURES & CRAFTSMANSHIP:

Distinctive stylistic and characteristic features and examples of skilled craftsmanship are retained where possible.

Compliant Non-Compliant Not Applicable

(g) DETERIORATED ARCHITECTURAL FEATURES:

Deteriorated architectural features repaired rather than replaced. Necessary replacements reflect replaced materials. Repair or replacement based on historical evidence not conjecture or material availability.

Compliant Non-Compliant Not Applicable

(h) NON-DAMAGING SURFACE CLEANING METHODS:

Surface Cleaning Methods prescribed are as gentle as possible. No sandblasting or other damaging cleaning methods.

Compliant Non-Compliant Not Applicable

(i) ARCHEOLOGICAL RESOURCES PRESERVED:

Reasonable efforts made to protect and preserve archeological resources affected by, or adjacent to project.

Compliant Non-Compliant Not Applicable

(j) CONTEMPORARY DESIGN- CONTEXT SENSITIVE & COMPATIBLE:

Contemporary alterations & additions do not destroy significant historical, architectural, or cultural material and are compatible with the size, scale, color, material and character of the property, neighborhood or environment.

Compliant Non-Compliant Not Applicable

(k) RETROVERSION- ESSENTIAL FORM & INTEGRITY UNIMPAIRED:

Future removal of new additions & alterations will leave the essential form & integrity of building, structure, object or site unimpaired.

Compliant Non-Compliant Not Applicable

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(l) **PAINT COLORS- HISTORICAL BASIS:**
Paint colors based on duplications or sustained by historical, physical or pictorial evidence, not conjecture.
 Compliant Non-Compliant Not Applicable

(m) **HISTORIC DISTRICT CONTEXT- OVERALL COMPATIBILITY:**
Construction plans are compatible with surrounding buildings and environment - height, gross volume and proportion.
 Compliant Non-Compliant Not Applicable

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS (SECTION 24.07.015)

(g) **EXPEDITED PROCESS FOR SMALL PROJECTS: ELIGIBILITY = “Not Eligible”**
Expedited process for small projects (cumulative costs < \$10,000); must be “No” to all:

Building Footprint Expansion/Reduction? Yes No
Façade Alterations facing Public Street or ROW? Yes No
Color Scheme Modifications? Yes No
Substantive/Harmful Revisions to Historic District? Yes No

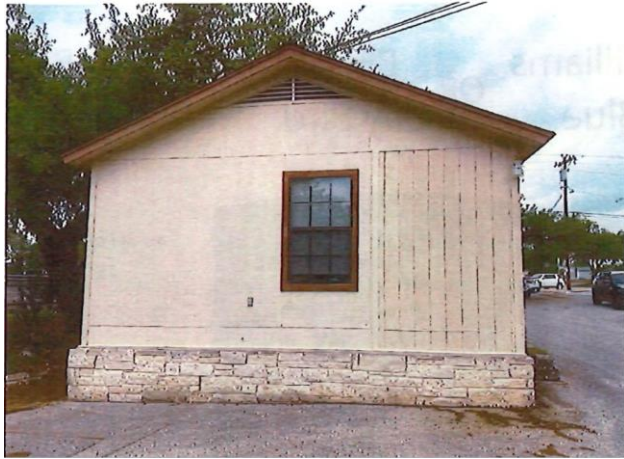
* * *

Please contact svarvarigos@cityofdrippingsprings.com if you have any questions regarding this review.

Reviewed By: Sara Varvarigos, AICP, City of Dripping Springs



Visitors Bureau: “Current Conditions, view from the parking lot in front of Visitors Bureau”. Staff images, 2026.



Visitors Bureau: “Current Conditions, view from the parking lot to the side of Visitors Bureau”. Staff images, 2026.

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512-858-4725



City of Dripping Springs

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

512.858.4725 • cityofdrippingsprings.com

CERTIFICATE OF APPROPRIATENESS APPLICATION

District Located or Landmark: Mercer Street Old Fitzhugh Road Hays Street
 Individual Landmark (Not in an Historic District)

CONTACT INFORMATION

APPLICANT NAME: City of Dripping Springs - Destination Dripping Springs
STREET ADDRESS: 511 Mercer Street, DS 78620
PHONE: 512-858-4725 EMAIL: lsullivan@cityofdrippingsprings.com

PROPERTY OWNER NAME (if different than Applicant): AS ABOVE
STREET ADDRESS: _____
PHONE: _____ EMAIL: _____

PROJECT INFORMATION

Address of Property (Structure/Site Location): 509 Mercer Street - Visitor Center; Resource M1B
Zoning Classification of Property: GUI

Description of Proposed Use of Property/ Proposed Work: It is the visitor center. We are wishing to repaint it to make it more attractive and inviting to visitors. We are doing a brand refresh of Destination Dripping Springs. The colors will complement the brand and also stand out as unique and inviting. The Destination Dripping Springs logo will be on the front exterior of the building.

Description of How Proposed Work will be in Character with Architectural and/or Historical Aspect of Structure/Site and the Applicable Zoning Requirements: SEE NEXT PAGE

Estimated Cost of Proposed Work: \$1,000 for supplies. All work will be done by City Maintenance Department

The proposed repainting of the Visitor Center will enhance the visual appeal of the site while remaining compatible with the surrounding historic district. The earth tone blue exterior with white trim introduces a fresh, inviting aesthetic that complements the charm and character of the area without detracting from nearby historic structures. The blue chosen is a light, muted tone selected to create a warm, grounding and calming nature-inspired effect.

While the building itself is not historic, the updated color scheme will create a more cohesive and welcoming presence within the district.

We plan to apply for a COA for the addition of a mural on one side of the building, designed to serve as a subtle visual enhancement and welcoming feature for visitors. The mural will be thoughtfully developed to reflect the character and identity of the community while remaining compatible with the surrounding district. Public art of this nature can contribute to placemaking by creating a recognizable and engaging point of interest. This addition is intended to enhance the visitor experience in a manner that is respectful of the site and supportive of local tourism and economic vitality.

First impressions matter, especially in tourism. The appearance of City facilities plays a key role in shaping visitor perception, influencing length of stay, spending, and overall economic impact. The current Visitor Center structure, which presents as a worn and dated trailer, is in need of a significant visual refresh to better reflect the welcoming, vibrant character of our community.

This is a cosmetic improvement only and does not alter the structure's size, footprint, or materials. The project meets all applicable zoning requirements and contributes positively to the overall visual experience of the area.

Intended Start Date of Work: May 2026 Intended Completion Date of Work: June 2026

CERTIFICATE OF APPROPRIATENESS SUBMITTAL CHECKLIST

| CHECKLIST | | |
|--------------------------|-------------------------------------|--|
| Staff | Applicant | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Current photograph of the property and adjacent properties (view from street/right-of-way) |
| <input type="checkbox"/> | <input type="checkbox"/> | Concept Site Plan: A drawing of the overall conceptual layout of a proposed development, superimposed upon a topographic map or aerial photo which generally shows the anticipated plan of development |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Elevation drawings/sketches of the proposed changes to the structure/site |
| <input type="checkbox"/> | <input type="checkbox"/> | Samples of materials to be used |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Color chips of the colors which will be used on the structure <i>(if applicable)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | Sign Permit Application <i>(if applicable)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | Building Permit Application <i>(if applicable)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | Application for alternative exterior design standards and approach <i>(if applicable)</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | Supplemental Design Information <i>(as applicable)</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Billing Contact Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Proof of Ownership-Tax Certificate or Deed |


SIGNATURE OF APPLICANT

4/21/26
Date


SIGNATURE OF PROPERTY OWNER AUTHORIZING THE WORK

4/21/2026
Date

*****TO BE FILLED OUT BY CITY STAFF*****

Date Received: _____ Received By: _____

Project Eligible for Expedited Process: Yes No

Action Taken by Historic Preservation Officer: Approved Denied

Approved with the following Modifications: _____

SIGNATURE OF HISTORIC PRESERVATION OFFICER

DATE

Date Considered by Historic Preservation Commission (if required): _____

Approved Denied

Approved with the following Modifications: _____

Historic Preservation Commission Decision Appealed by Applicant: Yes No

Date Appeal Considered by Planning & Zoning Commission (if required): _____

Approved Denied

Approved with the following Modifications: _____

Planning & Zoning Commission Decision Appealed by Applicant: Yes No

Date Appeal Considered by City Council (if required): _____

Approved Denied

Approved with the following Modifications: _____

Submit this application to City Hall at 511 Mercer St. /P.O. Box 384, Dripping Springs, TX 78620. Call City Hall at (512)858-4725 if you have questions regarding this application.

Received on/by: _____

Project Number: _____ - _____
Only filled out by staff



DRIPPING SPRINGS
Texas

BILLING CONTACT FORM

Project Name: City of Dripping Springs - Lisa Sullivan

Project Address: 509 Mercer Street, DS 78620

Project Applicant Name: Lisa Sullivan/Destination Dripping Springs

Billing Contact Information

Name: Lisa Sullivan

Mailing Address: PO Box 384

Dripping Springs, TX 78620

Email: lsullivan@cityofdrippingsprings.com Phone Number: 512-858-4725

Type of Project/Application (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Alternative Standard | <input type="checkbox"/> Special Exception |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Street Closure Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Waiver |
| <input type="checkbox"/> Exterior Design | <input type="checkbox"/> Wastewater Service |
| <input type="checkbox"/> Landscape Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Lighting Plan | <input type="checkbox"/> Zoning |
| <input type="checkbox"/> Site Development Permit | <input type="checkbox"/> Other _____ |

Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. Please see the online Master Fee Schedule for more details. By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.

Signature of Applicant

4/21/26
Date

Current Visitor Center Front



Proposed Visitor Center Front



Current Visitor Center Side



Proposed Visitor Center Side



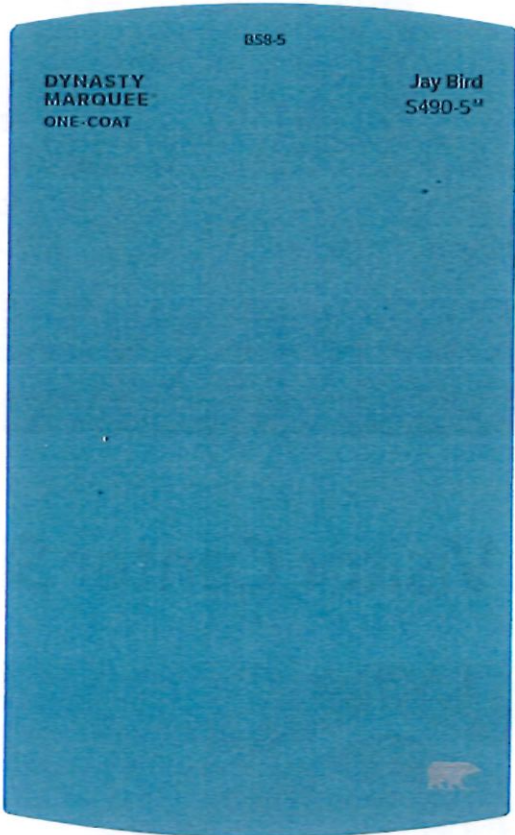
Paint Chip Selection

Sherwin-Williams
Secure Blue

OR

BEHR
Jay Bird

BEHR
Silent White



DYNASTY * PNI-1
Silent White PPU26-13^u

Adjacent Buildings to Visitor Center From the Front (From Across Mercer Street)

No Building
Just Trees

City Hall

Visitor Center

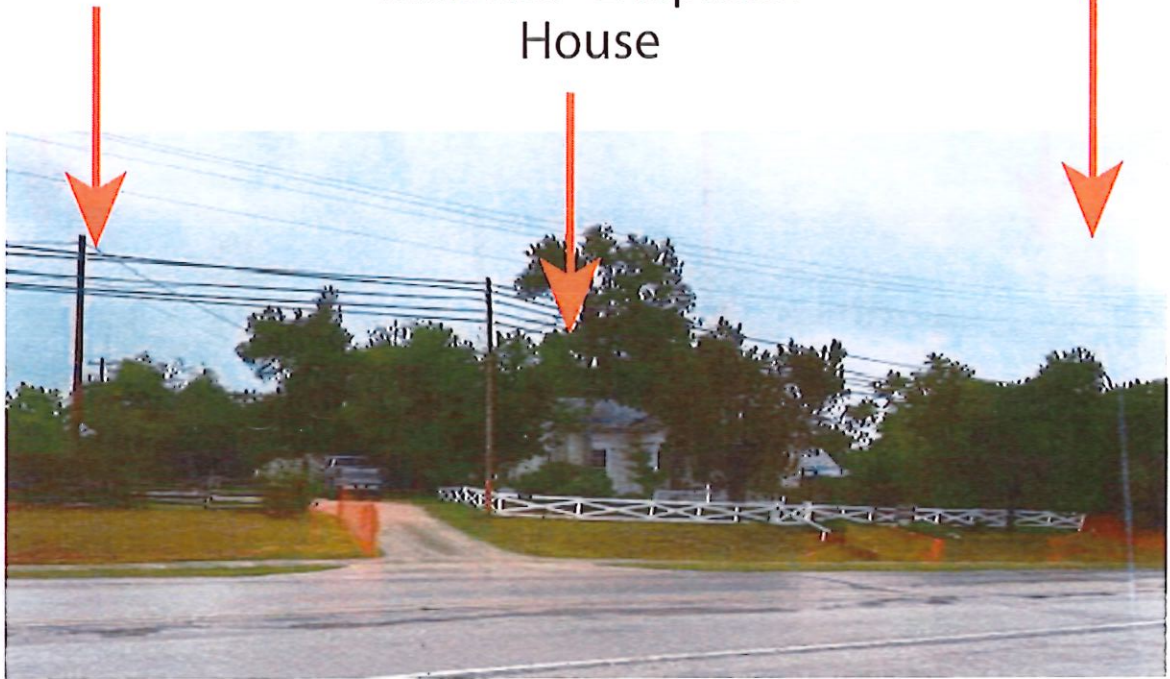


Buildings Across Mercer Street to Visitor Center (From Across Mercer Street)

No building
Just Trees

Marshall-Chapman
House

No Building
Just Trees



Panarama

Old DSISD Admin
Building

No Building
Just Trees

Marshall-Chapman
House

No Building
Just Trees



Adjacent Buildings to Visitor Center From Behind (From Across 290)

City Hall



Visitor Center



No building
Just Trees





DRIPPING SPRINGS
Texas

COA 2026-002 Visitors Bureau Project

Certificate of Appropriateness Review
May 7, 2026

Evolution of the Brand: Destination Dripping Springs

Item 2.



**DESTINATION
DRIPPING SPRINGS**



Visitors Bureau Existing Conditions and Paint Scheme

Item 2.

Current Visitor Center Front



Current Visitor Center Side



*Existing
Elevation*

Visitors Bureau Proposed Paint Scheme and Logo Update

Item 2.

Proposed Visitor Center Front



Proposed Visitor Center Side



*Proposed
Elevation*

Visitors Bureau Proposed Paint Scheme and Logo Update

Item 2.

Paint Chip Selection

Sherwin-Williams
Secure Blue

OR

BEHR
Jay Bird

BEHR
Silent White





Staff recommends the following updated paint scheme:

- a. Behr Jay Bird (S490-5) for the body of the building
- b. Behr Silent White (PPU-13) for the front door, porch posts and balusters, roof fascia, and window shutters and trim

City of Dripping Springs Design & Development Standards

Item 2.

Staff
 Recommendation:
 Approval with
 Conditions

| | All Districts | Mercer Street |
|--|---|---|
| Character |  |  |
| Vision | <ul style="list-style-type: none"> Preserve & Enhance Historic Character & Resources / Town Heritage Encourage Revitalization Foster & Ensure Complementary New Uses | <ul style="list-style-type: none"> Historic Main Street Foster a Community Focal Point Preserve Historic Resources- Rehab & Adaptive Re-Use Promote Revitalization |
| Design Principles / Guidelines & Regulations | <ul style="list-style-type: none"> Per Implementation Manual / COA (existing criteria & requirements) Provide Alternative Design (a new provision, route & process) Create Consistency w/ Exterior Design Ordinance (new provisions) | <ul style="list-style-type: none"> Protect Historic Pedestrian Scale & Main Street Character Promote Walkable Scale & Sidewalk Activity Zones Provide Pedestrian Shading Devices @ Sidewalk Frontage New Construction shall be compatible with surroundings |
| Preferred Uses | <ul style="list-style-type: none"> Zoning Review- Verify Consistency w/HO or Identify / Use Change (new requirement) | <ul style="list-style-type: none"> Pedestrian-Oriented Family-Friendly uses / activities Full Mix of Uses allowed |
| Site Planning & Building Placement | <ul style="list-style-type: none"> Site Plan Concept Review (new requirement) | <ul style="list-style-type: none"> "Build-To" Mercer St. Frontage 0' setback Sides: 0' setback Rear: 10' setback |
| Parking Arrangement | <ul style="list-style-type: none"> Site Plan Concept Review- (new requirement) | <ul style="list-style-type: none"> Street Parking Onsite Lots in Rear Offsite Remote Lots |
| Building Footprint Massing / Scale | <ul style="list-style-type: none"> Site Plan Concept Review COA / Architectural Review (new requirement) Provide Alternative Design (new provision & process) | <ul style="list-style-type: none"> 10,000 sf max contiguous footprint 2,500 sf max massing increments 2 Sty to 2-1/2 Sty Height Limit |
| Street Frontage | <ul style="list-style-type: none"> COA / Architectural Review (new requirement) | <ul style="list-style-type: none"> 40' max storefront width or 40' max. articulation increments |
| Porches | <ul style="list-style-type: none"> COA / Architectural Review (new requirement) | <ul style="list-style-type: none"> Porches / Awnings @ Street across min. 50% of frontage |
| Roofs | <ul style="list-style-type: none"> COA / Architectural Review (revised requirements) | <ul style="list-style-type: none"> Flat Parapets or Sloped Metal Roofs (Standing Seam or other approved type & finish) |
| Materials | <ul style="list-style-type: none"> COA / Architectural Review (revised requirements) | <ul style="list-style-type: none"> Maintain Historic Native Stone or Wood all walls- 75% net sf. Wood Porch Structures & Trim |
| Color Palette | <ul style="list-style-type: none"> COA Review (revised requirements) | <ul style="list-style-type: none"> Muted, rustic Earth Tone Hues Entry Doors- full range of hues |
| Tree Preservation | <ul style="list-style-type: none"> Tree Replacement Ord. Site Plan Review (new req't) | <ul style="list-style-type: none"> Replace Trees over 8" Preserve Heritage Trees 24" + |
| Landscape Features | <ul style="list-style-type: none"> Site Plan Concept Review COA / Design Review (new) | <ul style="list-style-type: none"> Preserve Historic Walls, Gates, Fences, Outbuildings, Cisterns, and notable landscape features |

Review Findings



Staff Recommendation: [Approval With Conditions](#)

Item 2.

The submitted project description and renderings appear to follow the guidelines of the Mercer Street Historic District.

Staff recommends approval of the Certificate of Appropriateness for the updated paint scheme based on the following conditions:

- a. Behr Jay Bird (S490-5) will be used for the body of the building
- b. Behr Silent White (PPU-13) will be used for the front door, porch posts and balusters, roof fascia, and window shutters and trim

*Proposed
Update*

Commission Options

1. Approve as submitted.
2. Approval with conditions (staff recommendation).
3. Deny as submitted.
4. Postpone the decision.



DRIPPING SPRINGS
Texas



To: Historic Preservation Commission
From: Sara Varvarigos, AICP – Senior Planner
Date: May 7, 2026
RE: Coordination of Draft Historic Preservation Ordinance Revision with 2040 Dripping Springs Comprehensive Plan

I. Overview

The City has developed a draft revision of Ord. Ch.30, Exhibit A, Section 4, Division 2 (Historic Preservation) and 3 (Historic Districts), which has been informed by a workshop with the Historic Preservation Commission on April 2, 2026.

- A key consideration of this draft revision is the development of Ordinance subsections 4.3.5, 4.3.6, and 4.3.7, with the goal of defining the unique “Purpose, Preferred/Prohibited Uses & Design Standards” for Mercer, Old Fitzhugh, and Hays Historic Overlay Districts.
- During the workshop on April 2, 2026, the HPC was invited to provide input on potential land use distinctions within each Historic District. There is an interest in developing a unique list of permitted uses for each of the Mercer, Old Fitzhugh, and Hays Historic Overlay Districts, in the context of:
 - a. developing subsections 4.3.5, 4.3.6, and 4.3.7, of the Historic District Ordinance and
 - b. refining Ord. Ch.30, Exhibit E – Zoning Use Regulations (Charts), which currently contains one designated list of permitted land uses under a single Historic Overlay heading - “HO”.

In addition to the draft revision of the Historic Preservation and Historic District Ordinance, the City has also developed a draft 2040 Dripping Springs Comprehensive Plan update, which has been informed by multiple public meetings, stakeholder discussions, and joint workshops with City boards and commissions, including the Historic Preservation Commission.

- A key element of the 2040 Comprehensive Plan is the definition of Place Types in Chapter 3, the Land Use Chapter.
- Place Types provide character-based land use designations which will help guide and identity future land use and development, as illustrated by the 2040 Future Land Use Map (FLUM).
- Staff is proposing to integrate the Place Types defined in Chapter 3 of the 2040 Comprehensive Plan, which have been assigned to the Mercer, Old Fitzhugh, and Hays Historic Overlay Districts on the 2040 FLUM, into subsections 4.3.5, 4.3.6, and 4.3.7 of the revised Ordinance.

- Staff considers that the integration of these Place types into subsections 4.3.5, 4.3.6, and 4.3.7 of the revised Ordinance will define the unique mix of land uses that will be permitted in the Mercer, Old Fitzhugh, and Hays Historic Overlay Districts moving forward.

II. Other updates to the draft revision of Ord. Ch.30, Exhibit A, Section 4, Division 2 (Historic Preservation) and 3 (Historic Districts)

In addition to the proposed updates outlined in section I of this memorandum, Staff used the input provided by the Historic Preservation Commission during the workshop on April 2, 2026, to make the revisions listed below in the draft Ordinance:

- Paragraph added to subsection 4.2.6, to state that dead, dying, or diseased Heritage Trees do not require a waiver from the DRC prior to their removal (however proof of the tree's status must be provided to City prior to removal).
- Additional information on the consequences of violating Ord. Ch.30, Exhibit A, Section 4, Division 2 (Historic Preservation) and 3 (Historic Districts), (refer to sections 4.2.6 and 4.3.10; this now includes the loss of eligibility for Historic Preservation Incentives listed in Resolution No.2015-26, Attachment A).
- Paragraph added to subsection 4.2.13, to state that a predevelopment meeting with the Planning Department is required prior to submitting an application for a COA.

The proposed updates outlined in sections I. and II of this staff memorandum are intended to enhance the overall clarity, coordination, and cohesiveness of the City's Ordinance, while also integrating the 2040 Dripping Springs Comprehensive Plan, which is set to be adopted by the Fall of 2026.

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Chapter 30 - ZONING Division
2. Historic Preservation

Division 2. Historic Preservation

4.2.1. Title.

This division shall be commonly cited as the historic preservation ordinance.

4.2.2. Purpose :

- (a) This division sets out standards and procedures for the protection, enhancement, designation and preservation of landmarks or districts of historical and cultural importance, and significance.
- (b) The city council hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of landmarks or districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational, and general welfare of the public. It is recognized that the city represents the unique confluence of time and place that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage. This act is intended to:
 - (1) Protect and enhance the landmarks and districts which represent distinctive elements of the city's historic, architectural, and cultural heritage;
 - (2) Foster civic pride in the accomplishments of the past;
 - (3) Protect and enhance the city's attractiveness to visitors and the support and stimulus to the economy thereby provided;
 - (4) Ensure the harmonious, orderly, and efficient growth and development of the city;
 - (5) Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the city;
 - (6) Encourage stabilization, restoration, and improvements of such properties and their values.

4.2.3. Scope :

This division applies to all property within the incorporated municipal boundaries (i.e., city limits). This division applies to actions done after November 14, 2006 (enactment date of the ordinance).

4.2.4. Burden of proof :

An applicant for a certificate of appropriateness under this division must establish that the application complies with the requirements of this division.

4.2.5. Definitions :

- (a) Rules of interpretation : Words and phrases used in this division shall have the meanings set forth in this section. Terms that are not defined below, but are defined elsewhere in the Code of Ordinances, shall be given the meanings set forth in the code. Words and phrases not defined in the Code of Ordinances shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense, words in the plural number shall include

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the singular number (and vice versa), and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

Specific definitions :

Alteration : A physical change in or to a building or structure.

Architectural control : Regulations governing the appearance or architectural style of buildings or structures.

Architectural control is a form of aesthetic zoning.

Building : Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

Certificate of appropriateness : A signed and dated document evidencing the approval of the Historic Preservation Officer or the Historic Preservation Commission of historic structures, sites, or areas that are identified with the lives of historical personages or with important events in national, state, regional, or local history; or the approval of new construction or alteration of Structures or areas that embody the distinguishing characteristics of an architectural type specimen as to color, proportion, form, and architectural details.

Comprehensive plan : A document or series of documents prepared by a planning commission or department setting forth policies for the future of a community. Enabling statutes in many states require zoning to be in accordance with a comprehensive plan. A comprehensive plan may also be called a master plan.

Concept site plan : A drawing of the overall conceptual layout of a proposed development, superimposed upon a topographic map which generally shows the anticipated plan of development, and which serves as a working base for noting and incorporating suggestions of the city's administrative officers and consultants, the historic preservation commission, the Planning & Zoning Commission, and the city council.

Design review : The decision-making process conducted by an established review committee of a local government that is guided by the terms set in the historic preservation ordinance.

Design review guidelines : The set of guidelines adopted by the commission that details acceptable alterations of designated properties.

District : An area that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Exterior features : Features which include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material and the type and style of all windows, doors, walls, roofs, light fixtures, signs, other appurtenant features and significant trees.

Historic preservation commission : The citizens' advisory group appointed by the city council to oversee historic matters within the city. The term may be referenced in this division with the word "commission."

Commented [MF1]: Would it be better to mirror Zoning Ordinance definition? Any structure intended for shelter, occupancy, housing or enclosure for persons, animals or chattel. When separated by dividing walls without openings, each portion of such structure so separated shall be deemed a separate building.

Commented [SV2R1]: Updated

Commented [MF3]: Remove if not referenced in ordinance.

Commented [SV4R3]: Should we still reference the Comp plan because it does reference the historic district?

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~~Historic preservation officer~~ : The ~~historic preservation officer~~ person appointed by the mayor to administer the historic preservation ordinance and advise the commission on matters submitted to it, or his or her designee.

~~Historic property~~ : A district, site, building, structure, or object significant in history, architecture, engineering, archeology, or culture at the national, state, or local level.

~~Historic resource~~ : This generally is the same as a historic property. It includes architectural, historical, and archeological properties as well as landscape features.

~~Historic Resource Survey~~: A systematic detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance.

~~Insignificant Alteration~~. Those activities which constitute minor alterations, additions, repairs or maintenance to any Resource include but are not limited to ordinary repairs and maintenance (refer to definition of ordinary repairs and maintenance).

~~Integrity~~ : The authenticity of a property's historic identity evidenced by survival of physical characteristics that existed during the property's historic or prehistoric period.

~~Intensive survey~~ : A systematic detailed examination of an area designed to gather information about historic properties sufficient to evaluate them against predetermined criteria of significance.

~~Insignificant Alterations~~: ~~Insignificant Alterations include but are not limited to:~~

- ~~Changes to paint colors on previously painted surfaces or changes of fabric colors which are consistent with the design guidelines color palettes, removal of paint to expose original masonry;~~
- ~~Replacement of existing windows and shutters with windows and shutters of similar material and style, without enlarging, shrinking, or relocating the placement of the windows;~~
- ~~Replacing exterior historic doors facing a public right of way or alley without relocating exterior entry and exit points;~~
- ~~Replacing exterior light fixtures facing a public right of way or alley;~~
- ~~Removing, replacing or painting a historic fence facing a public right of way or alley;~~
- ~~Construction of rear addition under 200 square feet using same (non-historic) material as existing structure as well as existing roof ridgeline for low rated structures (unless if property is located in the Old Fitzhugh District and has frontage on both Old Fitzhugh Rd. and Ranch Road 12); and~~
- ~~New construction of ADA ramps, rear porches, rear decks, pools, fountains and other backyard amenities (unless if property is located in the Old Fitzhugh District and has frontage on both Old Fitzhugh and Ranch Road 12);~~

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Inventory : A list of historic properties that have been identified and evaluated as meeting specified criteria of significance.

Landmark : This refers to any individual building, structure, or object that is significant for historical, architectural, or archeological reasons.

Object : The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment, such as statuary in designed landscape.

Officer : *The historic preservation officer appointed by the mayor to administer the historic preservation ordinance and advise the commission on matters submitted to it.*

Ordinary repairs or maintenance : Work done to prevent deterioration of a resource or any part thereof by returning the resource as nearly as practical to its condition prior to such deterioration, decay, or damage, and by using where possible original material. The term expressly omits activities involving the expansion, modification, enlargement, reduction, renovation, or remodeling of buildings or structures. The term also omits the cutting away of exterior walls or partitions, cutting or removal of a structural beam or loadbearing support, or removal or change of means of egress. Ordinary maintenance includes repairs, stabilization measures, replacement or repainting using the same design, color and the same, or updated similar materials which match the original material as closely as possible, and which does not require structural alteration, and includes the following exterior alterations:

1. ~~The term also omits changes~~ Repainting in exterior exterior surfaces using existing paint colors;
2. Replacement of a non-historic door with one in keeping with the character and era in which the home was built, or painting door color from approved design guidelines color palette;
3. Removal of extraneous non-historic features such as burglar bars, awnings, non-original shutters and the like;
4. Slight modification to exterior steps, walkways or stairways using same material or that which matches the original material as closely as possible;
5. Addition of louvers and vents if placed in an existing opening with no other exterior alteration needed;
6. Replacement of existing roofing with new roofing that is of consistent material, height, color and style as original roofing material;
- ~~— Changes to sign content that involve no other changes;~~
7. Installation of temporary features to protect, weatherize or stabilize a historic resource subject to formal approval within a reasonable time (including temporary weatherproofing material, framing, bracing, or blocks); and
8. Installation of mechanical units, electrical or plumbing facilities or fixtures, antennas, rooftop HVAC, mechanical or communication equipment that is not visible from the public right-of-way and results in no modifications to the historic resource.

Commented [SV5]: Proposing update to improve clarity around ordinary maintenance.

Commented [DE6R5]: I think it should reference stabilization.

Commented [SV7R5]: Updated paragraph and bullet 7 to include additional stabilization measures

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Overlay zones-Districts : A set of zoning requirements that is described in the ordinance text, is mapped, and is imposed in addition to those of the underlying district. Development and uses within the overlay zone-district must conform to the requirements of both zones or the more restrictive of the two. The establishment of special-overlay districts must have an appropriate police power basis.

Person : A human individual, trust, association, group, partnership, company, corporation, or government entity.

Preservation : The act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

Preservation priority rating. Three-tier rating system used in the 2024 and 2025 City of Dripping Springs Historic Resource Survey to evaluate all Resources within the City's historic districts. Ratings are based upon current determinations of architectural value and integrity and, if known, historical and cultural value, and may be altered from time to time as additional information is discovered or circumstances change. No rating shall be considered vested and the same may be established or changed at any time in accordance with subsections 4.2.10 below. Additionally, structures or properties may have more than one rating (e.g., the main structure may be high but an addition or accessory structure may be medium or low):

(1)High rating. The most significant Resources identified in the 2025 CODS Historic Resource Survey. These properties are considered to be outstanding, unique, or good examples of architecture, engineering, or design. Some are unique to the CODS area and are indicative of Texan vernacular forms and/or building techniques. Others are noteworthy examples of 19th and early 20th century architectural types, styles, and forms, erected using local building materials and construction technologies. Properties designated with a high rating are to be the most protected from alteration and demolition.

(2)Medium rating. Resources that may or may not be identified as architecturally significant on an individual basis, but are nonetheless valuable resources that add to the historic district's overall character, and may be so ranked due to their or its proximity or contribution to the cultural, historic, architectural, or archeological character of the historic district or surrounding properties. These properties may have been moderately altered or are typical examples of a common architectural style or form, but generally retain their historic integrity to a good or moderate degree. Properties designated with a medium rating shall be protected from demolition and where possible will be required or encouraged to maintain or improve architectural features.

(3)Low rating. Resources that minimally enhance the district's ability to convey a sense of time and place. These properties may be typical examples of more recent, common local building forms, architectural styles, or plan types; be examples of distinctive building forms, architectural styles, or plan types that have been significantly altered; lack the necessary age to meet the usual 50 year threshold for possible National Register of Historic Places listing and do not appear to meet the National Register of Historic Places standard for exceptional significance for properties less than 50 years of age, but which nevertheless may have relative value within the historic district, meriting preservation. Properties or improvements with a low rating may be considered for relocation or demolition upon a

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determination by the Historic Preservation Commission that this will have little or no impact on the historical, cultural, architectural, or archeological character of the district or property.

Restoration : The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Site : A site is the location of a significant event, prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, or archeological value regardless of the value of any existing structure.

~~**Special district** : A district established to accommodate a narrow or special set of uses or for special purposes.
The term can signify any district beyond the conventional residential, commercial, industrial, and agricultural districts. Examples include open space districts, hotel/motel districts, or historic preservation districts. The establishment of special districts must have an appropriate police power basis.~~

Structure : The term "structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating shelter.

Zoning : A police power measure enacted primarily by general purpose units of local government, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards.

4.2.6. Enforcement; penalties :

(a) **Enforcement** : The city shall have the power to administer and enforce the provisions of this division as may be required by governing law. Any person violating any provision of this division is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this division is hereby declared to be a nuisance. A person commits an offense of this ordinance when they alter, demolish, or remove any exterior feature of any designated historic landmark or any included structure within an historic district that is named as a "resource" in the most recently approved Dripping Springs Historic District Resource Surveys without a Certificate of Appropriateness, no matter their listed priority. More specifically, offenses include:

- a. altering the exterior elevations of a historic resource facing a public ROW without a Certificate of Appropriateness or;
- b. deviating from site and building plans previously approved by Certificate of Appropriateness without requesting a HPC or HPO review and approval of the updated plans or;
- c. demolishing or relocating a historic resource, building, or outbuilding located within the historic districts without obtaining a Certificate of Appropriateness or;
- d. removing Heritage trees without a waiver from the City's Design Review Committee and a Certificate of Appropriateness. This does not include trees that are dead, dying, or struck by lightning (however, proof must be provided regarding the status of these trees prior to their removal).

Commented [MF8]: Section needs to be revised to include what specific things constitute an offense.

Commented [SV9R8]: Okay, I added a list of proposed violations- let me know your thoughts

Commented [DE10R8]: I agree that some teeth are required as previously it felt like violators were red tagged and then simply came back with their COA application.

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- (b) **Criminal penalty** : It shall be a violation of this ordinance to violate any provision of this division. Any person violating any provision of this division shall, upon conviction, be fined a sum not to exceeding \$2,000.00 if the violation governs fire safety, zoning, public health, or sanitation, and in every other case a fine not exceeding \$500.00. Each day that a provision of this division is violated shall and may constitute a separate offense. An offense under this division is a misdemeanor.
- (c) **Civil remedies** : Nothing in this division shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this division and to seek remedies as allowed by law, including but not limited to the following:

- (1) Applicant's loss of eligibility to receive Historic Preservation incentives, as outlined in Resolution No. 2015-26, Attachment A below:

Attachment "A"

CITY OF DRIPPING SPRINGS
 INCENTIVES FOR HISTORIC DISTRICT AND LANDMARK
 DESIGNATION, ZONING, RESTORATION, AND PRESERVATION

| | Mercer | Old Fitzhugh | Hays | Landmark |
|--|--------|--------------|------|----------|
| Site Development | | | | |
| 90% impervious cover | ✓ | N/A | N/A | N/A |
| 0% downstream buffer | ✓ | N/A | N/A | N/A |
| Waiver of Site Development Permit Application Fees | ✓ | ✓ | ✓ | ✓ |
| Grant Applications | | | | |
| Eligible for help with grant requests | ✓ | ✓ | ✓ | ✓ |
| Zoning | | | | |
| 0' front building setback | ✓ | N/A | N/A | N/A |
| 10' rear building setback | ✓ | N/A | N/A | N/A |
| 0' side building setback | ✓ | N/A | N/A | N/A |
| Waiver of Zoning Classification Change Request Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Zoning Ordinance Amendment Request Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Conditional Use Permit Application Fee | ✓ | ✓ | ✓ | ✓ |
| Building Code | | | | |
| 20% reduction in Building Permit Fees | ✓ | ✓ | ✓ | ✓ |
| Expedited review process | ✓ | ✓ | ✓ | ✓ |
| Signage | | | | |
| Waiver of Sign Permit Application Fees | ✓ | ✓ | ✓ | ✓ |
| Food Establishment | | | | |
| Waiver of Food Establishment Permit Fees | ✓ | ✓ | ✓ | ✓ |
| Waiver of Food Establishment Plan Review Fees | ✓ | ✓ | ✓ | ✓ |
| Use of Public Right-of-Way | | | | |
| Waiver of Temporary Public Right-of-Way Usage Permit Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Temporary Public Street Closure Permit Fee | ✓ | ✓ | ✓ | ✓ |
| Certificate of Appropriateness | | | | |
| Waiver of Certificate of Appropriateness Application Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Professional Services Fees for Pre-Submittal Scoping Session | ✓ | ✓ | ✓ | ✓ |

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~~(1)~~(2) Injunctive relief to prevent specific conduct that violates this division or to require specific conduct that is necessary for compliance with this division;

~~(2)~~(3) A civil penalty up to \$500.00 a day when it is shown that the defendant was actually notified of the provisions of this division and after receiving notice committed acts in violation of this division or failed to take action necessary for compliance with this division; and

~~(3)~~(4) Other available relief.

4.2.7. Fees : Fees for a certificate of appropriateness application and other fees that may be associated with this division shall be established by the city council from time to time as set forth in the city's fee schedule ordinance.

4.2.8. Historic preservation commission : The historic preservation commission is described in section 2, Procedures and Administration:

4.2.9. Historic preservation officer :

- (a) The mayor shall appoint a qualified city official, staff person, or appropriate resident of the city to serve as historic preservation officer (hereafter, the "officer"). This officer or their designee shall administer this division and advise the commission on matters submitted to it.
- (b) In addition to serving as representative of the commission, the officer is responsible for coordinating the city's preservation activities with those of state and federal agencies and with local, state, and national nonprofit preservation organizations.

4.2.10. Procedure for designation of landmarks and districts :

- (a) The city council may designate sites, buildings, structures, landscapes, and objects as landmarks and areas as historic districts and the public right-of-way in and surrounding them by adopting zoning overlay districts designated as "HO" on the city's official zoning map pursuant to procedures incorporated into the city's zoning ordinance by the city council. The provisions pertaining to the designation of historic landmarks and historic districts constitute a part of the comprehensive zoning plan of the city.
- (b) A designation request may be initiated by a property owner or the commission. A building or site may not be designated as a landmark without the owner's consent.
- (c) Property owners of proposed historic landmarks and property owners within a proposed historic district shall be notified by mail at least ~~15~~10 days prior to the commission hearing on the recommended designation or the rescinding of a designation. At the commission's public hearing, owners, interested parties, and technical experts may present testimony or documentary evidence which will become part of a record regarding the historic, architectural, or cultural importance of the proposed historic landmark or proposed historic district.
- (d) The commission may recommend the designation of a landmark or historical district if it meets one or more of the criteria for the designation of a landmark or district.
- (e) Upon recommendation of the commission, the proposed historic landmark or historic district shall be submitted to the planning and zoning commission within 30 days from the date of

Commented [AA11]: Consider aligning with 10 day PZC notice period.

Commented [SV12R11]: okay

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the submittal of the designation request. The planning and zoning commission shall give notice and conduct its hearing on the proposed designation within 45 days of receipt of such recommendation from the commission. Notice of the public hearing shall be provided to all property owners within 200 feet of the affected property at least ten (10) days prior to the public hearing, and also published in the official local newspaper at least ten days prior to the public hearing.

- (f) The city council shall schedule a hearing on the planning and zoning commission's recommendation to be held within 45 days of receipt of the recommendation of the planning and zoning commission. Notice of the public hearing shall be provided to all property owners within 200 feet of the affected property at least ten (10) days prior to the public hearing, and also published in the official local newspaper at least ten (10) days prior to the public hearing. Notice of the hearing before the city council may be provided simultaneously with notice of the P&Z hearing.
- (g) Upon designation of a building, object, site, or structure as a historic landmark or district, the city council shall cause the designation to be recorded in the official public records of real property of the county, the tax records of the city, and the Hays County Appraisal District, as well as the official zoning map of the city.

4.2.11. Criteria for designation of landmarks and districts : A historic landmark or historic district may be designated if it:

- (a) Possesses significance in history, architecture, archeology, or culture;
- (b) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
- (c) Is associated with the lives of persons significant in our past;
- (d) Embodies the distinctive characteristics of a type, period, or method of construction;
- (e) Represents the work of a master designer, builder, or craftsman; and/or
- (f) Represents an established and familiar visual feature of the city.

4.2.12. Implementation standards Design Guidelines and incentives :

- (a) Implementation manual Design Guidelines :
 - (1) The city council is hereby authorized to enact by resolution implementation standards and design guidelines.
 - (2) No person shall violate historic district design implementation standards or guidelines adopted by the city council under this section.
- (b) Incentives : The city council is hereby authorized to approve by resolution financial and/or regulatory incentives for historic preservation, at the city council's discretion.
 - (1) Incentives shall be designed to achieve the purposes and objectives of this division.
 - (2) Applicants that obtain a certificate of appropriateness for an alternative exterior design standard are eligible for incentives under this division.
 - (3) Applicants that work without a required certificate of appropriateness or permit shall

Commented [SV13]: Keep this name if we make design guideline updates?

Commented [MF14R13]: Change name to "Design Guidelines"

Commented [DE15R13]: The incentives is consistent with previous conversations and balances the argument of a "taking"

Commented [SV16R13]: okay

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not be eligible for incentives under this division.

4.2.13. Certificate of appropriateness required; ~~expiration a~~ :

(a) Certificate required : No person shall carry out any construction, reconstruction, alteration, restoration, or relocation of any historic landmark or any property within a historic district, nor shall any person make any ~~material-significant~~ change in the paint color, light fixtures, ~~windows, signs,~~ sidewalks, fences, ~~steps, paving,~~ or other exterior elements visible from a public right-of-way which affect the appearance and cohesiveness of any historic landmark or any property within a historic district, without a certificate of appropriateness. Painting of unpainted stone or masonry is prohibited.

(b) Certificates of Appropriateness shall be issued by the Historic Preservation Commission. However, if the application sought to be approved under this article qualifies as an Insignificant Alteration (SEE DEFINITION OF INSIGNIFICANT ALTERATION), an Administrative Certificate of Appropriateness may be issued by the Historic Preservation Officer or their designee as an administrative approval without review by the Commission.

Therefore:

(1) In reviewing, approving and denying applications for certificates, the Historic Preservation Commission and the Historic Preservation Officer shall seek to accomplish the purposes of this article.

(2) All decisions of the ~~Board~~ Commission and Historic Preservation Officer shall be in writing and shall state the findings, recommendations or requirements. The same may appear in the written minutes of the Board's meetings.

(3) Expiration : A certificate of appropriateness expires ~~two~~ one years from the date it is issued if the approved work has not commenced, and it expires ~~three~~ two years from the date it is issued if the approved work has not been completed.

(4) Extension : A certificate of appropriateness may be extended by the city council for up to six months upon request of the applicant and upon showing of good cause.

(5) An application for a certificate of a Appropriateness shall not be resubmitted for review sooner than 12 months following its initial review unless it is submitted with a significant change, or if the originally approved plans have changed significantly as determined by the Historic Preservation Officer.

(6) Certificates of a Appropriateness may be issued for distinct and separate phases of an ongoing project as needed.

~~(b)~~ —

~~(e)~~ Exemption for ordinary repairs and maintenance : A certificate of appropriateness is not required for ordinary repairs and maintenance for which the cumulative cost of construction is less than

~~(d)(c)~~ \$10,000.00. There is an expedited process for projects that for which the cumulative construction costs are less than \$10,000.00 but involve more than ordinary repairs and maintenance.

Commented [MF17]: May take more than 1 year to obtain site development and building permits

Commented [DE18R17]: The expiration clause needs work. Perhaps it needs to be extended or tied to development and building permits so long as applicant is continuously engaged in securing those approvals.

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4.2.14. Criteria for issuance of certificate of appropriateness; rehabilitation standards:

- (a) In considering an application for a certificate of appropriateness, the commission shall be guided by design guidelines adopted by the city, and, where applicable, the following from the Secretary of the Interior's standards for rehabilitation of historic buildings. Any adopted design guidelines and Secretary of the Interior's standards shall be made available to the property owners of historic landmarks or within historic districts.
- (b) Every reasonable effort shall be made to adapt the property in a manner which requires minimal alteration of the building, structure, object, or site and its environment.
- (c) The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (d) All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (e) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- ~~(f)~~ Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, object, or site shall be kept where possible.
- ~~(g)~~(f) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, sustained by historical, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- ~~(h)~~(g) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- ~~(i)~~(h) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project.
- ~~(j)~~(i) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
- ~~(k)~~(j) Whenever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if such alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would not be impaired.

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~~(k)~~ Paint color shall be based on duplication of paint color, sustained by historical, physical, or pictorial evidence, when available, rather than on conjectural designs.

~~(m)(l)~~ ~~The~~ The historic preservation commission shall review all construction plans and concept site plans for construction in the historic district in order to insure compatibility with the zoning requirements and the surrounding buildings and environment in relation to height, gross volume, and proportion.

4.2.15. Application for certificate of appropriateness; application for alternative exterior design standards; review procedure; appeals :

~~(a)~~ Application-Predevelopment meeting : Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall request a predevelopment meeting with the Planning Department to discuss proposed improvements. Proposed improvements should comply with the zoning, historic resource survey preservation priority, and historic district guidelines associated with the historic resource.

~~(b)~~ Application : Following the predevelopment meeting, the owner shall file an application for such a certificate with the ~~commission~~ City of Dripping Springs Planning Department. The application shall contain:

- (1) Name, address, email address, and telephone number of the applicant (and property owner(s), if different), detailed description of proposed work with a concept site plan; and a description of how the proposed work will be in character with the architectural or historical aspect of the structure or site and the applicable zoning requirements;
- (2) Location and photograph of the property and adjacent properties, including photos of structure elevations, and photos of adjacent properties from the street and from the property for which the certificate of appropriateness is being sought;
- (3) Site Plan Concept, including building setback lines, sidewalks, species and diameter breast height of existing and impacted trees on-site, and on-site parking, if applicable available.
- ~~(3)~~(4) Elevation drawings of the proposed changes, if applicable available;
- ~~(4)~~(5) Samples of materials to be used;
- ~~(5)~~(6) If the proposal includes signs or lettering attached to an historic building, structure, or object, a sign permit application in conformance with the sign ordinance (chapter 26 of this code), a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property;
- ~~(6)~~(7) The intended and desired starting date and completion date of the alterations or improvements to be made;
- ~~(7)~~(8) Color chips of the colors which will be used on the structure;
- ~~(8)~~(9) Payment of the applicable fees as required by the fee schedule ordinance. The application will not be deemed complete nor will it be processed until such fee is paid in full; Completed billing contact form authorizing potential consulting service fees relating to the review of the COA application.
- ~~(9)~~(10) Any other information which the commission may deem necessary in order to

Commented [SV19]: Added based on CODS Historic District Design & development standards.

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visualize the proposed work; and

~~(10)~~(11) Property owner's signed authorization of the proposed work.

~~(b)~~(c) Application for alternative exterior design standards : Alternative exterior design standards for any new construction in a historic district may be submitted, along with all application requirements in subsection (a) of this section, for consideration by the commission when site conditions make strict compliance with the certificate of appropriateness requirements undesirable or impractical.

- (1) Considerations : The alternative standards shall, as a whole, meet or exceed the standards of the ~~implementation manual~~ Design Guidelines adopted by the city council, as amended. When a provision is reduced, the alternative standards shall increase other provisions to offset any noncompliance. For instance, if exterior materials do not meet the guidelines of the implementation manual, the architectural features, landscape features or other enhancements may be accentuated to balance the building's overall historic impact.
- (2) Review and appeal process : The commission shall consider the alternative exterior design standards for issuance or denial. An applicant for an alternative exterior design standard dissatisfied with the action of the commission relating to the issuance or denial of an alternative exterior design standard shall have the right to appeal in accordance with the appeals process for the certificate of appropriateness in subsections (f) and (g) of this section.

~~(3)~~ Waivers : A waiver can be applied for if the exterior redesign of a redevelopment project cannot be done without damaging existing utilities, curbs, or sidewalks.

~~(e)~~(d) Building permit : No building permit, if required, shall be issued for such proposed work until a certificate of appropriateness has first been issued by the commission. The certificate of appropriateness required by this division shall be in addition to and not in lieu of any site development, building, or sign permit that may be required by any other ordinance of the city.

~~(d)~~(e) Time for action by commission : The commission shall review the application at a regularly scheduled meeting within 60 days from the date the application is deemed administratively complete~~received~~, at which time an opportunity will be provided for the applicant to be heard. The commission shall approve, deny, or approve with modifications the permit within 45 days after the review meeting. In the event the commission does not act within 90 days of the receipt of the application, a permit shall be deemed granted by operation of law.

~~(e)~~(f) Form of decision : All decisions of the commission shall be in writing. The commission's decision shall state its findings pertaining to the approval, denial, or modification of the application. A copy shall be sent to the applicant. Additional copies shall be filed as part of the public record on that property.

~~(f)~~(g) Appeal to city council : An applicant for a certificate of appropriateness dissatisfied with the action of the commission relating to the issuance or denial of a certificate of appropriateness shall have the right to appeal to the city council within 30 days after receipt of notification of such action. The city council shall conduct a hearing within 30 days of receipt of a written

Commented [SV20]: Rename to Design Guidelines?

Commented [MF21R20]: yes

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letter of appeal. The city council shall give notice to the applicant by mail. The city council shall make its decision within 30 days of the hearing.

~~(g)~~(h) 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.

Expedited Certificate of Appropriateness review process for ~~small projects~~ insignificant alterations : There shall be an expedited process for obtaining a certificate of appropriateness for ~~small projects~~ INSIGNIFICANT ALTERATIONS, as previously defined in this ordinance, the cumulative costs of which are less than \$10,000.00. This process is available for projects that involve more than just ordinary repairs and maintenance. The historic preservation officer is hereby authorized to administratively ~~approve the applications~~ without public notice or a hearing. If the permit is denied, the applicant has a right to appeal the denial by submitting their appeal to the Planning Department within 30 days of the denial. The HPC will then review their COA permit application at the next HPC meeting, and choose to approve, deny, or table their decision regarding the COA application. Administratively complete applications shall be evaluated and decisions rendered within 15 business days of submittal. ~~To be eligible, the project must not involve:~~

~~Expansion or reduction of the building's footprint;~~

~~Alterations to the building facade facing a public street or street right of way;~~

~~Modifications of the building's color scheme; or~~

~~Any substantive revisions that in the historic preservation officer's judgment are contrary to the spirit of this division and harmful to the integrity of the historic landmark or, if the building is not a landmark, the historic district.~~

Certificate of appropriateness for demolition : A permit for the demolition of a historic landmark or property within a historic district, including secondary buildings and landscape features, shall not be granted by the city without the review and approval of a completed application for a certificate of appropriateness by the city, as provided in sections 24.07.013 [4.2.13], 24.07.014 [4.2.14], and 24.07.015 [4.2.15] of this division.

4.2.16. Economic hardship :

- (a) Hardship process : After receiving written notification from the commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process. No building permit, demolition permit, or certificate of appropriateness shall be issued unless the commission makes a finding that hardship exists, and an economic hardship letter is issued by the city.
- (b) Criteria for claim of hardship : When a claim of hardship is made due to the effect of this division, the owner must prove that:
 - (1) The property is incapable of earning a reasonable return, regardless of whether

Commented [MF22]: Specify what happens if denied. Applicant has right to appeal to HPC.

Commented [SV23R22]: Okay, I added a section to describe the process.

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that return represents the most profitable return possible;

- (2) The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and
- (3) Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

- (c) Effort to seek alternative : The applicant shall consult in good faith with the commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property. Such efforts must be documented to the commission.
- (d) Action by commission : The commission shall hold a public hearing on the application within 60 days from the date the application is received by the officer. Following the hearing, the commission has 30 days in which to prepare a written recommendation to the building official or other official. In the event that the commission does not act within 90 days of the receipt of the application, an economic hardship letter may be issued.

Commented [MF24]: What letter and who issues it?

Commented [SV25R24]: Updated

- (e) Form of decision : All decisions of the commission shall be in the form of a written letter. A copy of the letter shall be delivered to the applicant in person or by registered mail and a copy filed with the city secretary's office for public inspection. The commission's decision shall state the reasons for granting or denying the economic hardship application.

- (f) Appeal to planning and zoning commission : An applicant for a economic hardship letter dissatisfied with the action of the commission relating to the issuance or denial of a economic hardship letter shall have the right to appeal to the planning and zoning commission within 30 days after receipt of notification of such action. The planning and zoning commission shall conduct a hearing within 30 days of receipt of a written letter of appeal. The planning and zoning commission (PZC) shall give notice to the applicant by mail. The planning and zoning commission shall make its decision within 30 days of the hearing. If a super majority of the HPC denied the economic hardship appeal, an approval by a two-thirds majority of the PZC present and voting is required to approve it.

Commented [MF26]: If super majority of HPC denied, super majority of PZC required to approve it.

Commented [SV27R26]: Updated

- (g) Appeal to city council : An applicant for a economic hardship letter dissatisfied with the action of the planning and zoning commission relating to the issuance or denial of a economic hardship letter shall have the right to appeal to the city council within 30 days after receipt of notification of such action. The city council shall conduct a hearing within 30 days of receipt of a written letter of appeal. The city council shall give notice to the applicant by mail. The city council shall make its decision within 30 days of the hearing. If a super majority of the PZC denied the economic hardship appeal, an approval by a two-thirds majority of the of the City Council present and voting is required to approve it.

Commented [MF28]: If super majority of PZC denied, super majority of CC required to approve.

Commented [SV29R28]: Updated- verify the supermajority requirement 75%

4.2.17. Compliance with certificate of appropriateness; inspections; stop-work order : All work performed pursuant to a certificate of appropriateness issued under this division shall conform to any requirements included therein. It shall be the duty of the Building Official or their designer, city inspector or the officer to inspect periodically any such work to assure compliance. In the event work is not being performed in accordance with the certificate of appropriateness, the city inspector or the officer shall issue a stop-work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

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~~4.2.18. Ordinary maintenance and insignificant alterations: Nothing in this division shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district which does not involve a change in design, material, or outward appearance. In-kind replacement or repair is included in this definition of ordinary maintenance. The term expressly omits activities involving the expansion, modification, enlargement, reduction, renovation or remodeling of buildings or structures. The term also omits the cutting away of walls or partitions, cutting or removal of a structural beam or loadbearing support, or removal or change of means of egress.~~

~~4.2.19.~~ 4.2.18. Demolition by neglect: No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the commission, produce a detrimental effect upon the character of the historical district as a whole or the life and character of the property itself. Examples of such deterioration include:

- (a) Deterioration of exterior walls or other vertical supports;
 - (b) Deterioration of roofs or other horizontal members;
 - (c) Deterioration of exterior chimneys;
 - (d) Deterioration or crumbling of exterior stucco or mortar;
 - (e) Ineffective waterproofing of exterior walls, roof, or foundations, including broken windows or doors; and/or
 - (f) Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.
- (Ord. No. 2021-17 , § 2, 5-11-2021))

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4.3.1. Title: This division shall be commonly cited as the "historic district ordinance."

4.3.1-4.3.2. Historic Overlay Districts

4.3.3. Applicability

1. The boundaries for applicability of the standards herein shall be established for each individual historic overlay district.
2. Standards represent the minimum requirements for development and use within an overlay district. Conformity with these standards shall be required for the granting of any permit, certificate or other approval required for development within the city's area of jurisdiction.
3. Within the overlay districts, the standards of the underlying base zoning district, and all other regulations of the city, shall remain in effect unless superseded by the requirements of the applicable overlay district.
4. In the event of a conflict between the requirements of the overlay district and the requirements of the base zoning district or another ordinance, the requirements of the overlay district shall control.
5. If more than one (1) overlay district applies for a property, the more conservative standard shall control.

4.3.2-4.3.4. Boundaries established :

- (a) The boundaries of the Mercer Street historic district are hereby established as being in accordance with the borders delineated on the map attached to Ordinance No. 1295.1 as exhibit B, which is incorporated into this division.
- (b) The boundaries of the Old Fitzhugh Road historic district are hereby established as being in accordance with the borders delineated on the map attached to Ordinance No. 1295.11 as exhibit 1, which is incorporated into this division.
- (c) The boundaries of the Hays Street historic district are hereby established as being in accordance with the borders delineated on the map attached to Ordinance No. 1295.12 as exhibit 1, which is incorporated into this division.

4.3.5. Mercer Street Historic District Overlay

a. Purpose

The purpose of the Mercer Street historic district overlay is to provide design guidance and standards that:

- i. recognize historic main street architectural character and pedestrian scale
- ii. promote walkable activities and pedestrian-oriented design
- iii. foster a community focal point, and

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iv. preserve historic resources in the district while promoting their adaptive reuse and revitalization.

b. Preferred or Additional Uses.

Preferred or additional uses permitted in the Mercer Street historic district include pedestrian-oriented or mixed uses that reinforce the community character of the district. These are defined as the following Place Types, which are also identified on the 2040 Comprehensive Plan Future Land Use Map:

- Village Center: Allow mixed use by right (retail, restaurant, office, civic, entertainment, and residential uses as transitions).
- Hill Country Estate: Single-family residential with accessory dwelling units permitted. Accessory farm uses and structures for domestic animals and horses shall also be permitted.

c. Design

a. Dimensions

i. Building Height. The maximum allowable building height in the Mercer Street historic district is limited to two (2) or two and a half (2.5) stories or 40 feet.

ii. Building Width. Building widths may not exceed forty (40) feet, or must include articulation at a maximum of 40-foot increments.

iii. Building Footprint. The maximum allowable building footprint in the Mercer Street historic district is 10,000 square feet for a contiguous building footprint, with maximum massing increments of 2,500 square feet.

iv. Front yard setbacks. If the property fronts a public right of way where there is at least four (4) feet of unobstructed sidewalk space between the front building line and the corresponding roadway, there shall be a zero (0) foot minimum front yard setback,

v. Side yard setbacks. The minimum side yard setback is zero (0) feet if there is an approved fire wall.

vi. Rear yard setbacks. The minimum rear yard setback is ten (10) feet.

b. Building Orientation. Primary building entry shall be oriented toward the street of the building's address.

c. Building Facades.

i. Building materials. Buildings shall maintain historic native stone or wood for all outer walls (minimum of 75% of net square footage). Porches and trims shall be constructed of wood.

ii. Porches. All primary building entrances along Mercer Street shall be covered by an awning or porch, that will extend across a minimum of 50% of the building façade.

iii. Roofs. Roofs shall be flat parapets or sloped metal roofs (standing seam or other

Commented [SV30]: The minimum sidewalk width shown in the CODS Transportation Master Plan in Mercer area is 5 feet. Do we need to change the 4 feet to 5 feet?

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approved type & finish).

- d. Parking. For commercial uses in the Mercer Street historic district, minimum on-site parking shall be seventy-five (75) percent of the minimum requirement of Section 5.A Development Standards and Land Use Regulations, Off-street Parking and Loading. On-site parking shall be located to the rear of the building. Off-site parking and street parking may also be permitted.
- e. Fences and landscaping. Historic walls, gates, fences, outbuildings, cisterns, and notable landscape features shall be preserved. Trees over 8 inches diameter breast height will be replaced, and heritage trees over 18 inches diameter breast height shall be preserved. Landscape plantings shall comply with the CODS native plant list.
- f. Sidewalks. Sidewalks shall be a minimum of 5 feet wide in the Mercer District.

Commented [SV31]: Is 75 percent feasible?

Commented [SV32]: Any additional references to permitted fencing materials etc.? List of native plants? Verify.

Commented [MF33]: Compare to Landscape & Tree Preservation Ordinance, it may be more strict in some ways and requiring this to be revised.

Commented [SV34R33]: Updated to reflect the strictest standards for both the Tree Preservation and Historic District Design Standards. Tree preservation ordinance requires preservation of 40% of standard trees (8" to 17.99" DBH) and 100% Heritage Trees (18" DBH and up). The Historic District requires replacement of Trees over 8" and preservation of trees 24" and more DBH.

Commented [SV35]: Verify sidewalk requirements in transportation plan and downtown master plan.

4.3.6. Old Fitzhugh Road Historic Overlay District

a. Purpose.

The purpose of the Old Fitzhugh Road historic overlay district is to provide design guidance and standards that:

- i. recognize the rustic architectural character and landscapes of the historic small farmsteads in the district
- ii. promote the historic renovation and landscape preservation of properties in the district and
- iii. support the adaptive reuse and revitalization of properties in the district.

b. Preferred or Additional Uses.

Preferred or additional uses permitted in the Old Fitzhugh Road Historic District include uses that reinforce the rustic and eclectic character of the district, namely residential and mixed uses along Old Fitzhugh Road, and retail and/or commercial uses along RR 12. These are defined as the following Place Types, which are also identified on the 2040 Comprehensive Plan Future Land Use Map:

- Hill Country Estate: Single-family residential with accessory dwelling units permitted. Accessory farm uses and structures for domestic animals and horses shall also be permitted.
- Village Residential:
 - o Historic buildings to maintain their original intent (mostly single family) while allowing garage apartments/granny flats.
 - o Allow professional office, live/work, and corner retail uses.
 - o Transition to downtown with context sensitive infill including "missing middle" residential types such as cottage courts, duplexes, quad-plexes, townhomes, and small courtyard apartment buildings.
 - o Density based on existing neighborhood context.
- Village Center: Allow mixed use by right (retail, restaurant, office, civic, entertainment, and

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residential uses as transitions).

- Neighborhood Commercial: Uses permitted in this category are mainly neighborhood serving retail, some garden office, lodging, and services.

c. Design

a. Dimensions

- i. Building Height. The maximum allowable building height in the Old Fitzhugh Road historic district is limited to two (2) to two and a half (2.5) stories or 40 feet.
 - ii. Building Width. Building widths may not exceed forty-five (45) feet along Old Fitzhugh Road; Building widths may not exceed sixty (60 feet) along RR 12. Buildings must include articulation at a maximum of 45-foot increments.
 - iii. Building Footprint. The maximum allowable building footprint in the historic district is 5,000 square feet for a contiguous building footprint, with maximum massing increments of 2,500 square feet.
 - iv. Front yard setbacks. The minimum front yard setback is ten (10) feet.
 - v. Side yard setbacks. The minimum side yard setback is five (5) feet.
 - vi. Rear yard setbacks. The minimum rear yard setback is ten (10) feet.
- b. Building Orientation. Primary building entry shall be oriented toward the street of the building's address.
- c. Building Facades.
- i. Building materials. Buildings shall maintain historic native stone or wood for all outer walls (minimum of 75% of net square footage). Porches and trims shall be constructed of wood.
 - ii. Porches. All primary building entrances facing Old Fitzhugh Road or RR 12 shall be covered by an awning or porch, that will extend across a minimum of 50% of the building façade.
 - i. Roofs. Roofs shall be sloped metal roofs or 30-year composition shingles of a type or finish approved by the City of Dripping Springs.

d. Parking. For commercial uses in the historic district, minimum on-site parking shall be seventy-five (75) percent of the minimum requirement of Section 5.A Development Standards and Land Use Regulations, Off-street Parking and Loading. On-site parking shall be located to the rear of the building. Limited parking in the front yard may also be permitted, however, existing trees must be protected and preserved.

e. ~~Patios, Fences and landscaping. Patios, decks, courtyards and gardens~~ must be located at the rear of properties along Old Fitzhugh Road. Historic walls, gates, fences, outbuildings, cisterns, and notable landscape features shall be preserved. ~~Trees over 8 inches diameter breast height will be replaced, and heritage trees over 18 inches diameter breast height~~

Commented [SV36]: Is 75 percent feasible?

Commented [SV37]: Any additional references to permitted fencing materials etc.? List of native plants? Verify.

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shall be preserved. Landscape plantings shall comply with the CODS native plant list.

- f. Sidewalks shall tie in with the Shared Use Paths and pedestrian improvements along Old Fitzhugh Rd, and future roadway improvements planned in the City's Transportation Master Plan whenever possible, including 8 foot sidewalks along Old Fitzhugh and RR12 whenever feasible.

4.3.7. Hays Street Historic Overlay District

b. Purpose.

The purpose of the Hays Street historic overlay district is to provide design guidance and standards that:

- i. recognize the architectural character and landscapes of this historic neighborhood
- ii. protect and preserve the historic neighborhood character, scale, and streetscape
- iii. support the adaptive reuse and context-sensitive infill of properties within this district.

c. Preferred or Additional Uses.

Preferred or additional uses permitted in the Hays Street historic district include residential uses along Hays Street, and retail and commercial mixed uses along US 290 that are compatible with the neighborhood character of the district. These are defined as the following Place Types, which are also identified on the 2040 Comprehensive Plan Future Land Use Map:

- Village Residential:
 - o Historic buildings to maintain their original intent (mostly single family) while allowing garage apartments/granny flats.
 - o Allow professional office, live/work, and corner retail uses.
 - o Transition to downtown with context sensitive infill including "missing middle" residential types such as cottage courts, duplexes, quad-plexes, townhomes, and small courtyard apartment buildings.
 - o Density based on existing neighborhood context.
- Village Center: Allow mixed use by right (retail, restaurant, office, civic, entertainment, and residential uses as transitions).
- Suburban Neighborhood: Single-family residential (detached) (Densities range from 1 DU/acre to 6 DU/ac), multi-family residential (12 -15DU/ac). Limited neighborhood commercial maybe permitted at key intersections or nodes in the neighborhood.

d. Design

a. Dimensions

- i. Building Height. The maximum allowable building height in the along Hays Street historic district is limited to one and a half (1.5) to two (2) stories or 40 feet.
- ii. Building Width. Building widths may not exceed forty (40) feet along Hays Street;

Commented [MF38]: Compare to Landscape and Tree Preservation Ordinance

Commented [SV39R38]: Updated to reflect the strictest standards for both the Tree Preservation and Historic District Design Standards. Tree preservation ordinance requires preservation of 40% of standard trees (8" to 17.99" DBH) and 100% Heritage Trees (18" DBH and up). The Historic District requires replacement of Trees over 8" and preservation of trees 24" and more DBH.

Commented [SV40]: Verify sidewalk requirements in transportation plan and downtown master plan.

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Building widths may not exceed sixty (60 feet) along US 290. Buildings must include articulation at a maximum of 40-foot increments.

iii. Building Footprint. The maximum allowable building footprint in the historic district is 5,000 square feet for a contiguous building footprint, with maximum massing increments of 3,500 square feet.

iv. Front yard setbacks. The minimum front yard setback is ten (10) feet.

v. Side yard setbacks. The minimum side yard setback is five (5) feet.

vi. Rear yard setbacks. The minimum rear yard setback is ten (10) feet.

b. Building Orientation. Primary building entry shall be oriented toward the street of the building's address.

c. Building Facades.

i. Building materials. Buildings shall maintain historic native stone or wood for all outer walls (minimum of 75% of net square footage). Porches and trims shall be constructed of wood.

ii. Porches. All primary building entrances shall be covered by an awning or porch, that will extend across a minimum of 50% of the building façade.

iii. Roofs. Roofs shall be sloped metal roofs or 30-year composition shingles of a type or finish approved by the City of Dripping Springs.

d. Parking. Residential parking shall require onsite garages. For commercial or retail uses in the historic district, minimum on-site parking shall be seventy-five (75) percent of the minimum requirement of Section 5.A Development Standards and Land Use Regulations, Off-street Parking and Loading. On-site commercial parking shall be located to the rear of the building or in side yards.

e. Fences and landscaping. Historic walls, gates, fences, outbuildings, cisterns, and notable landscape features shall be preserved. Trees over 8 inches diameter breast height will be replaced, and heritage trees over 18 inches diameter breast height shall be preserved. Landscape plantings shall comply with the CODS native plant list.

f. Sidewalks. Sidewalks shall be a minimum of 5 foot wide whenever it is feasible to add sidewalks in the Hays District.

4.3.3-4.3.8. Compliance required:

The ~~Historic Design Guidelines Implementation Manual~~ Design Guidelines Implementation Manual adopted as Appendix A to Ordinance No. ~~201951~~ 201951 All persons, buildings, properties, sites and structures located within the historic districts shall comply with the historic preservation ordinance and the design guidelines included in the implementation manual adopted by this ordinance. In the case where another ordinance of this code, including chapter 30, zoning ordinance, and this section or implementation manual conflict, this section and implementation manual shall control.

4.3.4-4.3.9. Incentives:

All buildings, properties, sites, and structures located within the historic districts are eligible for consideration for the provision of incentives pursuant to the Design Guidelines Implementation Manual adopted by the city

Commented [SV41]: Is 75 percent feasible?

Commented [SV42]: Any additional references to permitted fencing materials etc.? List of native plants? Verify.

Commented [SV43]: Deleted this section because it is a repetition of an earlier section

Commented [MF44]: update

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4-3-5-4.3.10. Enforcement and penalty:

It shall be a violation of this ordinance to alter, demolish, or remove any exterior feature of any designated historic landmark or any included structure within an historic district that is named as a "resource" in the most recently approved Dripping Springs Historic District Resource Surveys Preservation Program Implementation Manual without a Certificate of Appropriateness, no matter their listed priority. A person commits an offense of this ordinance when they alter, demolish, or remove any exterior feature of any designated historic landmark or any included structure within an historic district that is named as a "resource" in the most recently approved Dripping Springs Historic District Resource Surveys without a Certificate of Appropriateness, no matter their listed priority. More specifically, offenses include:

Commented [MF45]: Revise this section to specify what constitutes an offense

- a. altering the exterior elevations of a historic resource facing a public ROW without a Certificate of Appropriateness or;
- b. deviating from site and building plans previously approved by Certificate of Appropriateness without requesting a HPC or HPO review of the updated plans or;
- c. demolishing or relocating a historic resource, building, or outbuilding located within the historic districts without obtaining a Certificate of Appropriateness or;
- d. removing Heritage trees without a waiver from the City's Design Review Committee and a Certificate of Appropriateness.

Any person violating this ordinance is subject to the following:

- (a) Civil and criminal penalties: The city shall have the power to administer and enforce the provisions of this ordinance and to seek civil and criminal penalties. Any violation of this division is hereby declared to be a nuisance.
- (b) Criminal prosecution: Any person violating any provision of this division shall, upon conviction, be fined a sum not to exceed ~~ing \$500.00, or~~ \$2,000.00 if the violation governs fire safety, zoning, public health, or sanitation, and in all other cases a sum not exceeding \$500.00. Each day that a provision of this division is violated shall and may constitute a separate offense. An offense under this division is a misdemeanor.
- (c) Civil remedies: Nothing in this division shall be construed as a waiver of the city's right to bring a civil action to enforce the provisions of this division, and to seek remedies as allowed by law, including, but not limited to the following:
 - (1) Applicant's loss of eligibility to receive Historic Preservation incentives, as outlined in Resolution No. 2015-26, Attachment A below:

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Attachment "A"

CITY OF DRIPPING SPRINGS
 INCENTIVES FOR HISTORIC DISTRICT AND LANDMARK
 DESIGNATION, ZONING, RESTORATION, AND PRESERVATION

| | Mercer | Old Fitzhugh | Hays | Landmark |
|--|--------|--------------|------|----------|
| Site Development | | | | |
| 90% impervious cover | ✓ | N/A | N/A | N/A |
| 0% downstream buffer | ✓ | N/A | N/A | N/A |
| Waiver of Site Development Permit Application Fees | ✓ | ✓ | ✓ | ✓ |
| Grant Applications | | | | |
| Eligible for help with grant requests | ✓ | ✓ | ✓ | ✓ |
| Zoning | | | | |
| 0' front building setback | ✓ | N/A | N/A | N/A |
| 10' rear building setback | ✓ | N/A | N/A | N/A |
| 0' side building setback | ✓ | N/A | N/A | N/A |
| Waiver of Zoning Classification Change Request Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Zoning Ordinance Amendment Request Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Conditional Use Permit Application Fee | ✓ | ✓ | ✓ | ✓ |
| Building Code | | | | |
| 20% reduction in Building Permit Fees | ✓ | ✓ | ✓ | ✓ |
| Expedited review process | ✓ | ✓ | ✓ | ✓ |
| Signage | | | | |
| Waiver of Sign Permit Application Fees | ✓ | ✓ | ✓ | ✓ |
| Food Establishment | | | | |
| Waiver of Food Establishment Permit Fees | ✓ | ✓ | ✓ | ✓ |
| Waiver of Food Establishment Plan Review Fees | ✓ | ✓ | ✓ | ✓ |
| Use of Public Right-of-Way | | | | |
| Waiver of Temporary Public Right-of-Way Usage Permit Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Temporary Public Street Closure Permit Fee | ✓ | ✓ | ✓ | ✓ |
| Certificate of Appropriateness | | | | |
| Waiver of Certificate of Appropriateness Application Fee | ✓ | ✓ | ✓ | ✓ |
| Waiver of Professional Services Fees for Pre-Submittal Scoping Session | ✓ | ✓ | ✓ | ✓ |

(2)

(4)(3) Any person violating this division is subject to suit for injunctive relief as well as prosecution for civil and criminal violations.

(Ordinance 2020-26, adopted 6/9/20)

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~~(Ordinance 2020-26, adopted 6/9/20)~~

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| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses | | Proposed Land Uses | |
|--|---|--------------------|-----------------------|--------------------|---------------|
| | | Mercer District | Old Fitzhugh District | Mercer District | Hays District |
| Bulk Grain and/or Feed Storage | X | X | X | | X |
| Farms, General (Crops), Commercial | X | X | X | | X |
| Greenhouse (Non-Retail) | P | X | P | | X |
| Livestock Sales | X | X | X | | X |
| Orchard/Crop Propagation | P | X | P | | X |
| Plant Nursery (Commercial) | X | X | X | | X |
| Small Scale Farm | P | X | P | | X |
| Stable, Commercial | X | X | X | | X |
| Stables (Private, accessory use) | P | X | P | | X |
| Stables (Private, principal use) | X | X | X | | X |
| Garden (Non-Retail) | P | P | P | | P |
| Farm Animals (Exempt - FFA, 4H) | P | X | P | | X |
| Farm Animals (Non-Exempt) | P | X | P | | P |
| Accessory Bldg./Structure (Nonresidential) | P | P | P | | P |
| Accessory Bldg./Structure (Residential) | P | P | P | | P |
| Accessory Dwelling Unit | P | P | P | | P |
| Caretaker's/Guard Residence | P | P | P | | P |
| Community or Group Home | P | X | P | | P |
| Duplex/Two-Family | P | X | P | | P |
| Garage Residential Conversion | P | P | P | | P |
| Garden Home/Townhome | P | P | P | | P |
| Home Occupation | P | P | P | | P |
| HUD-Code Manufactured Home | X | X | X | | X |
| Living Quarters on Site with a Business | P | P | P | | P |
| Multiple-Family Dwelling | P | P | P | | P |
| Residential Loft | P | P | P | | P |
| Rooming/Boarding House | P | P | P | | P |
| Single-Family Dwelling, Detached | P | P | P | | P |
| Single-Family Industrialized Housing | P | P | P | | P |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses Mercer District | Proposed Land Uses Old Fitzhugh District | Proposed Land Uses Hays District |
|---|---|------------------------------------|--|----------------------------------|
| Swimming Pool, Private | P | P | P | P |
| Armed Services Recruiting Center | P | P | P | P |
| Bank | X | X | X | X |
| Check Cashing Service | X | X | X | X |
| Credit Agency | X | X | X | X |
| Insurance Agency Offices | P | P | P | P |
| Offices, General/Professional | P | P | P | P |
| Office, Brokerage Services | P | | | |
| Offices, Health Services | P | | | |
| Offices, Legal Services | P | | | |
| Offices, Parole/Probation | X | | | |
| Offices, Professional | P | | | |
| Offices, Real Estate Office | P | | | |
| Saving and Loan | X | | | |
| Security Monitoring Company | X | | | |
| Telemarketing Center | X | | | |
| All-Terrain Vehicle Dealer (Sales Only) | X | | | |
| Ambulance Service (Private) | X | | | |
| Antique Shop | P | | | |
| Appliance Repair | X | | | |
| Art Dealer/Gallery | P | | | |
| Artisan's Shop | P | | | |
| Artist Studio | P | | | |
| Auto Sales (New and Used) | X | | | |
| Auto Supply Store | X | | | |
| Bakery or Confectionary (Retail) | P | | | |
| Bar | C | | | |
| Barbershop | P | | | |
| Beauty Shop | P | | | |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses Mercer District | Proposed Land Uses Old Fitzhugh District | Proposed Land Uses Hays District |
|--|---|------------------------------------|--|----------------------------------|
| Bed and Breakfast Inn or Facility | P | | | |
| Bicycle Sales and Repair | P | | | |
| Book Store | P | | | |
| Building Materials Sales | X | | | |
| Cabinet/Counter/Woodworking Shop (Custom) Retail | X | | | |
| Cabinet/Counter/Woodworking Shop (Manufacturing) Wholesale | X | | | |
| Cafeteria | P | | | |
| Communication Equipment Repair | X | | | |
| Computer Sales | P | | | |
| Consignment Shop | P | | | |
| Convenience Store (With Gas Sales) | X | | | |
| Convenience Store (Without Gas Sales) | P | | | |
| Cooking School | P | | | |
| Dance/Drama/Music Studio or School | P | | | |
| Department Store | P | | | |
| Drapery, Blind Upholstery Store | P | | | |
| Exterminator Services | X | | | |
| Financial Services | P | | | |
| Florist Shop | P | | | |
| Food or Grocery Store (General) | P | | | |
| Food or Grocery Store (Limited) | P | | | |
| Funeral Home or Mortuary | X | | | |
| Furniture Store (New and/or Used) | X | | | |
| Garden Shop (Inside Storage) | P | | | |
| General or Community Retail Store | P | | | |
| Gravestone/Tombstone Sales | X | | | |
| Hardware Store | P | | | |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses | | |
|--|--|--------------------|-----------------------|-------------------------------------|
| | | Mercer District | Old Fitzhugh District | Proposed Land Uses Hays District |
| Home Improvement Center | X | | | |
| Laundry/Dry Cleaning | X | | | |
| Lawnmower Sales & Repair | X | | | |
| Live-in Security Quarters | P | | | |
| Locksmith | X | | | |
| Major Appliance Sales | X | | | |
| Market (Public) | P | | | |
| Mini-Warehouse - Self Storage | X | | | |
| Mobile food vendor - 10 days or less | P | | | |
| Mobile food vendor - longer than 10 days | C | X | C | C |
| Mobile food vendor court | C | X | C | C |
| Motorcycle Dealer (Sales, Repair) | X | | | |
| Motel or Hotel | P | | | |
| Needlework Shop | P | | | |
| Pet Shop/Supplies | P | | | |
| Pharmacy | P | | | |
| Photocopying/Duplicating | P | | | |
| Photography Studio | P | | | |
| Plant Nursery (Retail Sales, Outdoors) | X | | | |
| Radio or Television Studio | X | | | |
| Recycling Center | X | | | |
| Restaurant (No Drive-Through Service) | P | | | |
| Restaurant (With Drive-Through) | X | | | |
| Security Systems Installation Company | X | | | |
| Sexually Oriented Business | X | | | |
| Shoe Repair | P | | | |
| Special Event Facilities | C | | | |
| Studio, Tattoo or Body Piercing | P | | | |
| Tailor Shop | P | | | |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses Mercer District | Proposed Land Uses Old Fitzhugh District | Proposed Land Uses Hays District |
|---|---|------------------------------------|--|----------------------------------|
| Tool and Machinery Rental (Indoor Storage) | X | | | |
| Tool and Machinery Rental (Outdoor Storage) | X | | | |
| Travel Agency | P | | | |
| Temporary Outdoor Sales/Promotion | P | | | |
| Upholstery Shop | P | | | |
| Used Merchandise/Furniture | P | | | |
| Vacuum Cleaner Sales and Repair | X | | | |
| Veterinarian Clinic (Indoor Kennels) | P | | | |
| Woodworking Shop (Ornamental, Handmade) | P | | | |
| Antique Vehicle Restoration | X | | | |
| Auto Body Repair | X | | | |
| Auto Financing and Leasing | X | | | |
| Auto Muffler Shop | X | | | |
| Auto Paint Shop | X | | | |
| Auto Tire Sales and Repair | X | | | |
| Auto Upholstery Shop | X | | | |
| Auto Washing Facility, Attended | X | | | |
| Auto Washing Facility, Unattended | X | | | |
| Auto Wrecker Service | X | | | |
| Automobile Repair, Major | X | | | |
| Automobile Repair, Minor | X | | | |
| Heliport | X | | | |
| Helistop | X | | | |
| Limousine/Taxi Service | X | | | |
| Oil Change and Inspection | X | | | |
| Parking Lot, Commercial | X | | | |
| Parking Structure, Commercial | P | | | |
| Tire Dealer, Indoor Storage | X | | | |
| Amusement Arcade (Four or more devices) | P | | | |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses Mercer District | Proposed Land Uses Old Fitzhugh District | Proposed Land Uses Proposed Land Uses Hays District |
|-----------------------------------|---|------------------------------------|--|---|
| Amusement Services (Indoor) | P | | | |
| Amusement Services (Outdoor) | X | | | |
| Billiard/Pool Facility | P | | | |
| Bingo Hall | P | | | |
| Bowling Center | P | | | |
| Broadcast Station (With Tower) | X | | | |
| Country Club (Private) | X | | | |
| Dance Hall | P | | | |
| Day Camp for Children | X | | | |
| Civic/Conference Center | P | | | |
| Dinner Theater | P | | | |
| Driving Range | X | | | |
| Fairgrounds/Exhibition Area | X | | | |
| Gaming Club (private) | X | | | |
| Golf Course (Miniature) | X | | | |
| Golf Course (Public, Private) | X | | | |
| Health Club | P | | | |
| Motion-Picture Studio, Commercial | X | | | |
| Motion-Picture Theater | P | | | |
| Museum | P | | | |
| Park accessory uses | X | | | |
| Park and/or Playground | P | | | |
| Psychic Reading Services | P | | | |
| Rodeo Grounds | X | | | |
| Skating Rink | X | | | |
| Tennis Court | P | | | |
| Theater (Stage) | P | | | |
| Video Rentals/Sales | P | | | |
| Assisted Living Facility | P | | | |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses Mercer District | Proposed Land Uses Old Fitzhugh District | Proposed Land Uses Proposed Land Uses Hays District |
|--|---|------------------------------------|--|---|
| Broadcast Tower (Commercial) | X | | | |
| Cemetery or Mausoleum | X | | | |
| Child Day-Care Facility | P | X | P | P |
| Church, Religious Assembly | P | | | |
| Civic Club | P | | | |
| Community Center (Municipal) | P | | | |
| Electrical Generating Plant | X | | | |
| Electrical Substation | X | | | |
| Emergency Care Clinic | X | | | |
| Fire Station | X | | | |
| Fraternal Lodge or Union | P | | | |
| Government Building (Mun., St., Fed.) | P | | | |
| Group Day-Care Home | X | | | |
| Medical Clinic or Office | P | | | |
| Wireless Communications Tower | X | | | |
| Heliport | X | | | |
| Home for the Aged, Residential | P | | | |
| Hospice | P | | | |
| Hospital (Acute Care, General) | X | | | |
| Library | P | | | |
| Maternity Home | P | | | |
| Nursing/Convalescent Home | X | | | |
| Orphanage | P | | | |
| Philanthropic Organization | P | | | |
| Post Office | P | | | |
| Radio, Television, Microwave Tower | X | | | |
| School, K Through 12 (public or private) | P | | | |
| Sewage Pumping Station | P | | | |
| Telephone Switching/Exchange Bldg. | P | | | |

| LAND USE | Current Historic Overlay Land Use Permissions | Proposed Land Uses Mercer District | Proposed Land Uses Old Fitzhugh District | Proposed Land Uses Hays District |
|--|---|------------------------------------|--|----------------------------------|
| Wastewater Treatment Plant | X | | | |
| Water Supply (Elevated Storage Tank) | P | | | |
| Water Supply Facility (Private) | X | | | |
| Book Bindery | P | | | |
| Feed and Grain Store | X | | | |
| Furniture Manufacture | X | | | |
| Heating and Air-Conditioning Sales/Service | X | | | |
| Pawnshop | X | | | |
| Propane Sales (Retail) | X | | | |
| Taxidermist | X | | | |
| Transfer Station/Refuse Pickup | X | | | |
| Veterinarian (Outdoor Kennels or Pens) | X | | | |
| Warehouse/Office | X | | | |
| Welding Shop | X | | | |
| Contractor's Office (No Outside Storage) | P | | | |
| Contractor's Office (With Outside Storage) | X | | | |
| Contractor's Temporary On-site Office | P | | | |
| Electronic Assembly | X | | | |
| Engine Repair or Manufacture | X | | | |
| Laboratory Equipment Manufacture | X | | | |
| Machine Shop | X | | | |
| Maintenance and Repair Services for Bldgs. | X | | | |
| Open Storage/Outside Storage | X | | | |
| Plumbing Shop | X | | | |
| Research Lab (Nonhazardous) | X | | | |
| Sand/Gravel/Stone Sales or Storage | X | | | |
| Sand/Gravel Quarrying | X | | | |
| Sign Manufacturing <i>Industrial</i> | P | X | X | X |
| Stone/Clay/Glass Manufacturing | X | | | |

PLACE TYPES

WHAT ARE PLACE TYPES?

In analyzing the existing land uses in Dripping Springs, two things became very clear. The first is that the current land use designations, while sufficient for differentiating major classifications like residential and commercial uses, did not adequately describe the area's character. In other words, while a 5-acre estate and a 60' x 120' lot are both residential, they are very different types of places. The second is that because so much of Dripping Springs' City and ETJ were developed as PDDs, wholesale areas are a single, homogeneous land use type of PDD or PUD, which likewise neither describes the use NOR the place. Therefore, we had to create an understandable way to reclassify existing land uses so that we could plan for the creation of appropriate future places. The backbone of this future vision is the Future Land Use Map. A Future Land Use Map (FLUM) establishes and defines land use categories and applies it to all the land within the city and the ETJ. The FLUM guides future development and redevelopment by providing the decision-making bodies information on the intended land uses of future development. Typically, land use designations on FLUMs are one-dimensional (density-based) and may not provide enough specificity on the intended character of the land use. Place Types are an effort to provide character-based land use designations that help the residents and elected officials to better envision their community's future.



Every place leaves an impression on the people who live there, work there, or visit. Dripping Springs already has a strong identity and character that is deeply felt by local residents and visitors. Future development in Dripping Springs should respect that strong identity and character through the use of Place Type designations which focuses on the look and feel of places—their form and character—instead of focusing only on land use.

What makes a place unique, memorable, and loved by the community? Often, it's a mix of natural, cultural, and man-made elements in the built environment. Some key elements that contribute to Dripping Springs' sense of place include the rolling landscape of the Hill Country with its stunning vistas, its creeks (Onion Creek, Little Barton Creek), its dark skies initiative, historic Mercer Street, its unique tourist destinations, and its livable neighborhoods. Of course, this sense of place can occur at multiple levels - across an entire city, within individual neighborhoods, or on a specific block.

The 12 Place Types that were designated in Dripping Springs were established by examining the City and ETJ as it exists, because, as previously stated, the sense of place that Dripping Springs already possesses is what it wants to continue to be. Unlike some plans, which use prototypical zoning and land uses to characterize places, the Plan's place type designations are not arbitrary.

The place types are also characterized by their development context -Rural, Suburban, and Village. Place types will include the following:

- Brief description of the character
- Land uses permitted
- Appropriate zoning tools to be utilized
- Development metrics
- Additional policy considerations



PLACE TYPES - RURAL

HILL COUNTRY/RURAL PRESERVE

Includes designated flood plains, steep grades/ravines, wooded areas or forests, wetlands, wildlife corridors, protected areas, nature preserves and parks (both public and private parks). These areas are to be preserved in perpetuity. No significant development is permitted in these areas.

- **Uses permitted:** uses and structures related to these areas used for park purposes shall be permitted. Uses may include passive open spaces, parks, wetlands, wildlife corridors, etc., with associated customary functions. These customary functions may include picnic areas, trails (paved and natural), parking areas, camping areas, low impact cabins, rest rooms, concession areas, etc. They may also include instructional areas for wildlife and nature education. Limited areas (10% or less) may be dedicated to active recreation such as ball fields and courts. This may include low impact recreation facilities such as frisbee golf, etc. but shall not include regular golf courses or facilities that require regrading, re-vegetation or removal of natural areas.

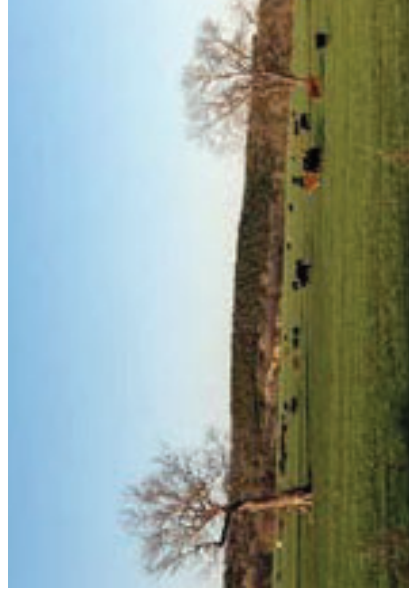
- **Appropriate zoning:** Public Park or Preserve (PP)
- **Development metrics:** development plans shall be approved as part of the plans for the parks and preserves (through the City for areas within the City Limits, through the county for areas in the ETJ or Texas Parks and Wildlife Department (TPWD) for areas that are state preserves or state parks).



HILL COUNTRY/RURAL RESERVE

Shall include lands dedicated to active farms, ranches, vineyards, and conservation neighborhoods (lots smaller than one acre only if sewer is available) with significant dedicated open space, etc.

- **Uses permitted:** Uses related to ranching, agriculture, viticulture, residential uses, farm stores, farmers' markets, etc.
- **Appropriate zoning:** AG (and future conservation neighborhood zoning). Average density of 1 dwelling unit (DU)/acre or lower with connection to sewer.
- **Development metrics :** Refer to requirements for conservation neighborhoods:
 - + Minimum land area assembly = 100 acres.
 - + Minimum open space (or area dedicated to farmstead, ranch, or open space/preserve) = 50%.
 - + Lots smaller than 1 ac permitted only with access to sewer. Average density shall be no more than 1 DU/gross acre.
 - + Limit regrading, clearcutting, and development in floodplain.



HILL COUNTRY ESTATE

Shall include older, mature and established neighborhoods that were developed prior to city sewer installation. These are desirable since they have larger lots (larger than 1 acre) with mature vegetation and modest homes. They are generally along existing county roadways or limited new streets with cul-de-sacs and no significant amount of open space dedicated. Any floodplain, etc. is platted into residential lots. This category shall also include ranchettes which offer larger parcels to accommodate farm animals and/or horses in a rural environment as a hobby and not as a business.

- **Uses Permitted:** Single-family residential with accessory dwelling units permitted. Accessory farm uses and structures for domestic animals and horses shall also be permitted.
- **Appropriate zoning:** AG and Single-Family Residential - Low Density.
- **Development metrics:**
 - + Allow accessory DU on lots with access to sewer or septic capacity (over 1 acre). Fences in the front yard are rural type (open pipe rail, post and rail, etc.).

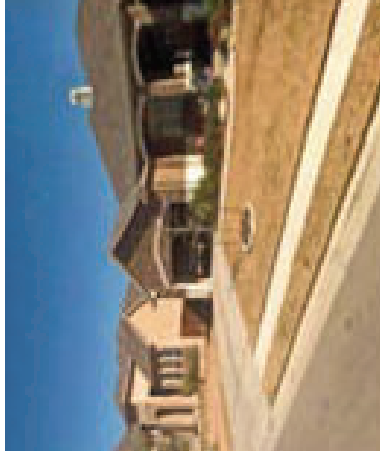


PLACE TYPES - SUBURBAN

SUBURBAN NEIGHBORHOOD

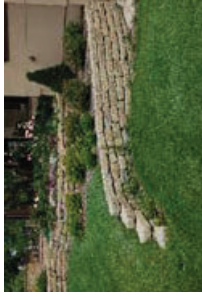
Suburban Neighborhood: Existing and new neighborhoods (mostly single family or suburban multifamily pods) with a suburban street pattern - large blocks, limited street connectivity, dendritic street pattern, no variety in lot sizes or housing types, and uses separated by density.

- **Uses Permitted:** Single-family residential (detached) (Densities range from 1 DU/acre to 6 DU/ac), multi-family residential (12 - 15DU/ac). Limited neighborhood commercial maybe permitted at key intersections or nodes in the neighborhood.
- **Appropriate zoning:** Single-Family Residential - moderate density, multifamily residential, planned development.
- **Development metrics:**
 - + Encourage street connectivity/limit the use of cul-de-sacs with the exception of areas of steep grade.
 - + Encourage a range of lot sizes and housing types within a development.
 - + Reserve prominent sites for neighborhood schools and parks. Provide a continuous network of sidewalks and trails to connect areas within the neighborhood and outside the neighborhood to adjoining destinations.
 - + Consider locating multi-family near commercial and/or employment nodes with appropriate buffers to adjoining uses.



NEIGHBORHOOD COMMERCIAL

Neighborhood Commercial: This land use category is intended to allow for a mix of neighborhood oriented commercial development with office and multi-family that transitions to adjoining new neighborhoods. Generally, this land use designation is located along US 290 and key intersections along 290. Typically, this category is predominantly auto-oriented development (buildings setback from the roadway and parking in the front).



- **Uses Permitted:** Uses permitted in this category are mainly neighborhood serving retail, some garden office, lodging, and services.

- **Appropriate Zoning:** Local Retail, General Retail, Commercial Services District

- **Development Metrics:**

- + Development along 290 to include a landscape buffer (min. 20' wide) with which the following elements should be included -- canopy trees, rural fencing, parking lot screening using rustic masonry (limestone) retaining walls to create a unique look and feel along US 290.
- + Cross access easements and internal connectivity should be prioritized in commercial developments.
- + Pedestrian access and connectivity within the development and to adjoining cross streets.
- + Parking lot lighting and building lighting to utilize dark skies.



EMPLOYMENT CENTER/BUSINESS PARK

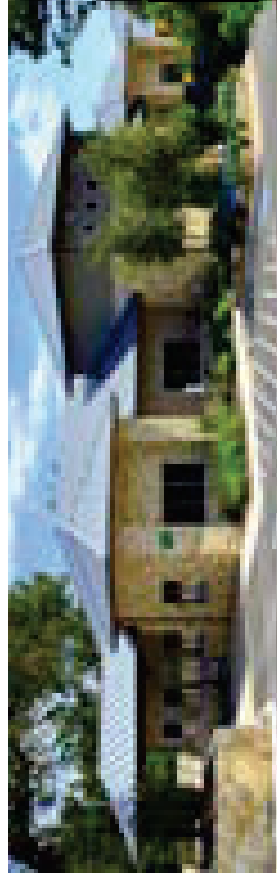
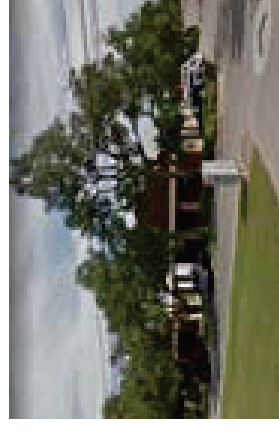
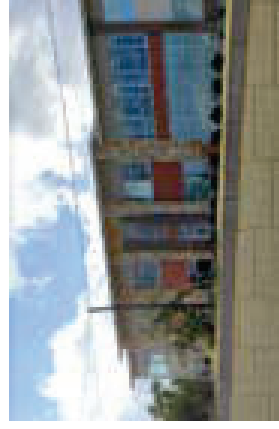
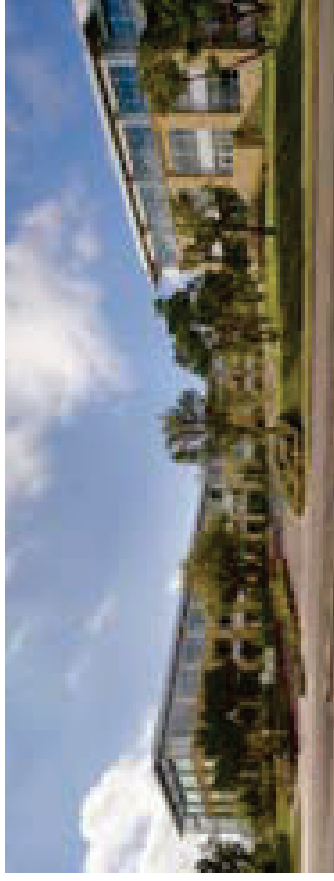
This land use category allows for larger, master planned corporate office, garden office, flex office, and light industrial type developments that provide for regional and local employment. They are still auto-oriented and located along US 290. Some of them are on larger sites and some are older light manufacturing uses on smaller sites (e.g., Right Space Storage, industrial along Frog Pond Ln, development between Canyon Bend Dr and Sunset Canyon along south side of US 290). These are not located at major intersections, rather located between intersections.

- **Uses Permitted:** Corporate office, garden office, flex-office, light industrial, storage, lodging (to support the office uses), and retail and restaurants (to support the office uses).

- **Appropriate Zoning:** Office, Industrial, Commercial Services

- **Development Metrics:**

- + Same frontage treatment along US 290 as Neighborhood Commercial
- + Large properties and parcels of land along US 290 to develop corporate / flex office campuses and buildings.
- + Smaller properties to develop garden style offices.
- + Typically includes properties that are not at a highway interchange and may not be attractive for regional retail uses.
- + Encourage site design that incorporates large flex office/industrial buildings with smaller professional office buildings with a hierarchy of connected streets and blocks.
- + Locate service bays, outdoor storage (if any), trash/ dumpsters and truck loading/unloading away from direct frontage on US 290 (to be located on the side or to the rear of buildings along US 290).



REGIONAL COMMERCIAL

This land use category shall facilitate the development of regional scale larger retail and commercial centers that draw from a regional market shed. They shall be located at a major intersection on US 290 to maximize regional access and access to adjoining residential.

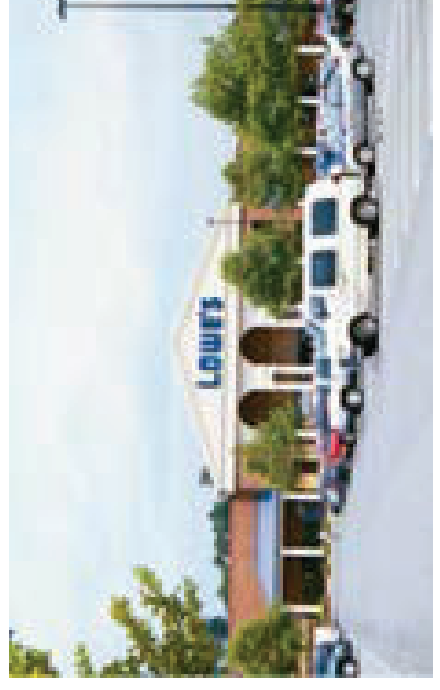
• Uses Permitted:

- + Mostly large format retail with restaurants and entertainment uses or mid-rise office buildings.
- + May include lodging and related uses.
- + May include multi-family and professional offices as a transition to adjoining neighborhoods.

• Appropriate Zoning: Local Retail, General Retail, Office, Multi-family Residential, Planned Development.

• Development Metrics:

- + Same frontage treatment along US 290 as Neighborhood Commercial.
- + Focus on minimizing the impact of a 'big box' look by articulating the building mass horizontally and vertically.
- + Allow a range of local building materials.

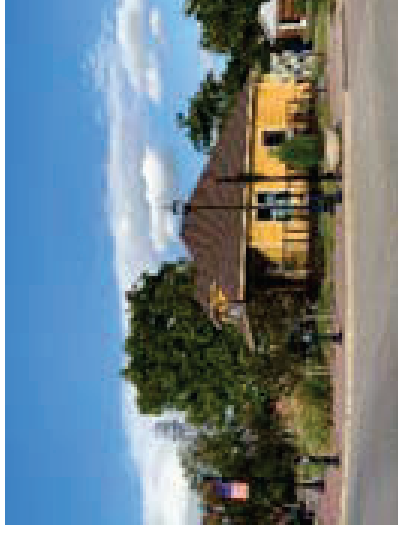


PLACE TYPES - VILLAGE

VILLAGE CENTER (DOWNTOWN)

This land use category is intended for Dripping Spring's historic core along Mercer Street between Hwy 12 and Sportsplex Drive. It is intended to maintain the quality of Downtown as a main historic and cultural destination in the region, preserve the historic character and context of Downtown including the appearance of the historic buildings along Mercer Street. Downtown should grow as a destination for dining, entertainment, and festivals for all residents of Dripping Springs.

- **Uses Permitted:** Allow mixed use by right (retail, restaurant, office, civic, entertainment, and residential uses as transitions).
- **Appropriate Zoning Districts:** Create a new Village Center District as a new form-based zoning district to establish clear use and development standards for Mercer Street (as the Village Core) and adjoining areas (Village Transitions/Village Neighborhood). Incorporate the existing historic district standards into the form-based zoning district.
- **Development Metrics:**
 - + Historic and contextually appropriate buildings (scale, height of 1 - 2 stories, façade design, fenestration) restored/revitalized and repurposed to allow for flexible building use reflective of and in response to the market demand.
 - + Prioritize public realm (streetscape improvements) with bulb-outs, wide sidewalks, and trees.
 - + Orient auto-oriented site elements like off-street parking, driveways, and drive-through facilities away from Mercer Street.
 - + Identify catalytic projects that can drive private development.



VILLAGE RESIDENTIAL

This land use category is intended to accommodate older (and some newer) residential blocks immediately surrounding the Village Center (historic Mercer Street), Old Fitzhugh Road corridor, some areas south of US 290 across from Downtown (Hays Street west of 12). The goal is to maintain the scale, character, and context of the existing neighborhood fabric including the existing street grid and connectivity.

• Uses Permitted:

- + Historic buildings to maintain their original intent (mostly single family) while allowing garage apartments/granny flats.
- + Allow professional office, live/work, and corner retail uses.
- + Transition to downtown with context sensitive infill including “missing middle” residential types such as cottage courts, duplexes, quad-plexes, townhomes, and small courtyard apartment buildings.
- + Density based on existing neighborhood context.

- **Appropriate Zoning Districts:** Create a new Village Residential District as a new form-based zoning district to establish clear use and development standards for the blocks adjoining Mercer Street (including Old Fitzhugh Road). Incorporate any existing historic district standards into the form-based zoning district. PDs maybe appropriate for areas that are greenfield, but the design of neighborhoods must follow the principles of a traditional neighborhood (metrics below).

• Development Metrics:

• Existing neighborhoods:

- + Encourage renovation and infill design that is in keeping with historic structures.
- + Maintain existing street network, parks and open space.
- + Provide additional trail connections.
- + Connect to new adjoining neighborhoods.

• New Neighborhoods:

- + Connected street (grid-like).
- + Streets with view corridors along that focus on open space and the lake (which allows for both visual and physical access).
- + Network of parks and trails.
- + Architectural design recommendations to ensure quality neighborhoods.
- + Mix of lot and housing types.



MIXED USE

This category shall include new developments that are designed along the principles of new urbanism (typically new town centers) with retail, restaurant, office, and residential uses in a walkable context. It may include both horizontal or vertical mixed use. Emphasis shall be placed on the development being walkable with buildings at the sidewalk and parking behind the building.

• Uses Permitted:

- + Range of commercial uses (retail, restaurant, entertainment, office, personal service uses).
- + It shall also include a variety of residential types (single-family detached, patio homes, cottage courts, townhomes, multi-family, etc.).
- + It shall include a range of parks, plazas, playgrounds and open spaces connected by sidewalks and trails and integrated into the design of the mixed use neighborhood.

- **Appropriate Zoning Districts:** Develop a new zoning tool (Mixed Use District) to implement new mixed use developments with distinct sub-districts --core, transition, and neighborhood. The new Mixed Use District should allow calibration of the specific subdistricts based on the specific context of the location and market demand.

• Development Metrics:

- + Compact blocks and connected street grid.
- + Network of walkable streets with buildings lining them (80% building frontage).
- + Establish tailored standards for the component subdistricts (core, transition, and neighborhood).
- + Dedicated streets or alley network for service and parking frontage and access.
- + Create a variety of connected community gathering places and passive open spaces with trails to make walking and biking easy from one place to another and connect to off-site trails.
- + Provide appropriate transitions to protect adjacent neighborhoods and to promote sustained value.



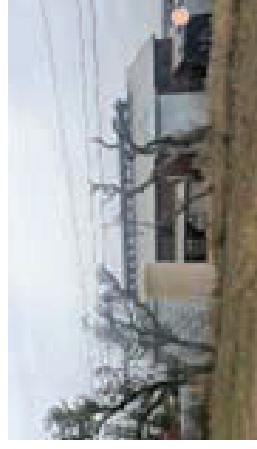
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HILL COUNTRY DESTINATION

This category is intended to address the unique land use and design context of emerging entertainment and tourist corridors and nodes in and around Dripping Springs. These include Bell Springs Road, sections of 290 and RR 12.

- **Uses Permitted:** Uses shall include entertainment and tourist related uses such as wineries, distilleries, tasting rooms, music destinations, wedding/event destinations along Bell Springs Rd, 290 and 12 and amusement parks such as Dreamland.
- **Appropriate Zoning Districts:** General Retail, Planned Development.
- **Development Metrics:**
 - + Cluster future destinations along corridors with existing destinations
 - + Create a local trolley loop to connect major destination nodes with remote shared parking locations (schools, churches, other large parking facilities that could be shared on weeknights and weekends).
 - + Work with destinations to align with community events and activities to drive more visibility and branding.
 - + Design of new venues should incorporate the landscape and architecture of the Hill Country.



PUBLIC AND CIVIC DESTINATION

This land use category is intended to accommodate a range of public and civic uses such as regional parks, cemeteries, golf courses, DS Ranch Park and Event Center, etc.

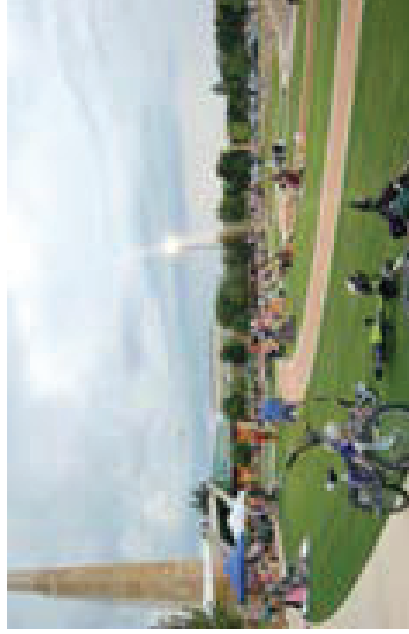
- **Uses Permitted:** More specifically, this category shall allow:

- + Access to a range of parks and open space amenities from child-friendly neighborhood parks to active plazas and squares within new developments.
- + Protection of natural landscapes and open space for wildflower viewing, bird watching, and the general enjoyment of nature including educational opportunities.
- + Opportunities for both active/programmed and passive/unprogrammed recreation.

- **Appropriate Zoning Districts:** Public Recreation, Public Park or Reserve, Government, Utility, Institutional.

- **Development Metrics:**

- Natural Landscapes:
 - + Protection of the natural quality of the landscape (steep grades, hills).
 - + Physical and visual access to natural landscapes (view sheds).
 - + Improvements to be of a subtle character that fit the natural landscape.
- Programmed and Designed Landscapes:
 - + Landscape improvements with an emphasis on native plants and plants with low water requirements.
 - + Trails designed with hard and/or soft surface depending on the use.
- Enhance all parks and open space with a citywide and interconnected network of trails and paths for pedestrians and bicyclists.



Item 3.

Legend

- Historic Districts
 - Hays Street
 - Mercer Street
 - Old Fitzhugh Road
- Parcels_FLUM
 - Employment Center/ Business Park
 - Hill Country Destination
 - Hill Country Estate
 - Mixed Use
 - Neighborhood Commercial
 - Public and Civic Destination
 - Regional Commercial
 - Rural Preserve
 - Rural Reserve
 - Suburban Neighborhood
 - Village Center
 - Village Residential

Old Fitzhugh Rd:
 Village Residential
 Hill Country Estate
 Neighborhood Commercial
 Village Center

Mercer St:
 Village Center
 Hill Country Estate

Hays St:
 Village Residential
 Village Center
 Suburban Neighborhood

