

**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. [REDACTED]**

**Conditional Use Permit**

AN ORDINANCE APPROVING THE EXTENSION OF A CONDITIONAL USE PERMIT FOR THE USE OF MOBILE FOOD VENDOR – LONGER THAN TEN (10) DAYS WITHIN THE LOCAL RETAIL ZONING DISTRICT FOR A PERIOD NOT TO EXCEED TWO YEARS FOR A PROPERTY LOCATED AT 501 OLD FITZHUGH ROAD, UNDER EXHIBIT A, ZONING ORDINANCE, SECTION 3.17, CONDITIONAL USE PERMIT AS ATTACHED IN EXHIBIT “A”; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PUBLICATION; EFFECTIVE DATE; PROPER NOTICE & MEETING.

**WHEREAS,** the City Council of the City of Dripping Springs (“City Council”) seeks to promote reasonable, sound, and efficient land use and development within the City of Dripping Springs (“City”); and

**WHEREAS,** pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to regulate zoning within the City; and

**WHEREAS,** the City of Dripping Springs desires to approve a conditional use permit because of the unique nature of this property, and the land use is compatible with the permitted land uses in a given zoning district only under current conditions; and

**WHEREAS,** the Historic Preservation Commission approved a certificate of appropriateness for the Mobile Food Permit as this property is located in the Old Fitzhugh Road Historic District; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City of Dripping Springs to adopt this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs:**

**1. FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as expressly set forth herein.

**2. ENACTMENT**

The Conditional Use Permit is approved as presented in Exhibit “A” to this ordinance.

**3. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**4. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**5. EFFECTIVE DATE**

This Ordinance and Conditional Use Permit shall be effective immediately upon passage and publication.

**6. PROPER NOTICE & MEETING**

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

**PASSED & APPROVED** this, the \_\_\_ day of \_\_\_\_\_ 2022, by a vote of \_\_\_(ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

by: \_\_\_\_\_  
Bill Foulds, Jr., Mayor

ATTEST:

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Andrea Cunningham, City Secretary



### City of Dripping Springs | Conditional Use Permit

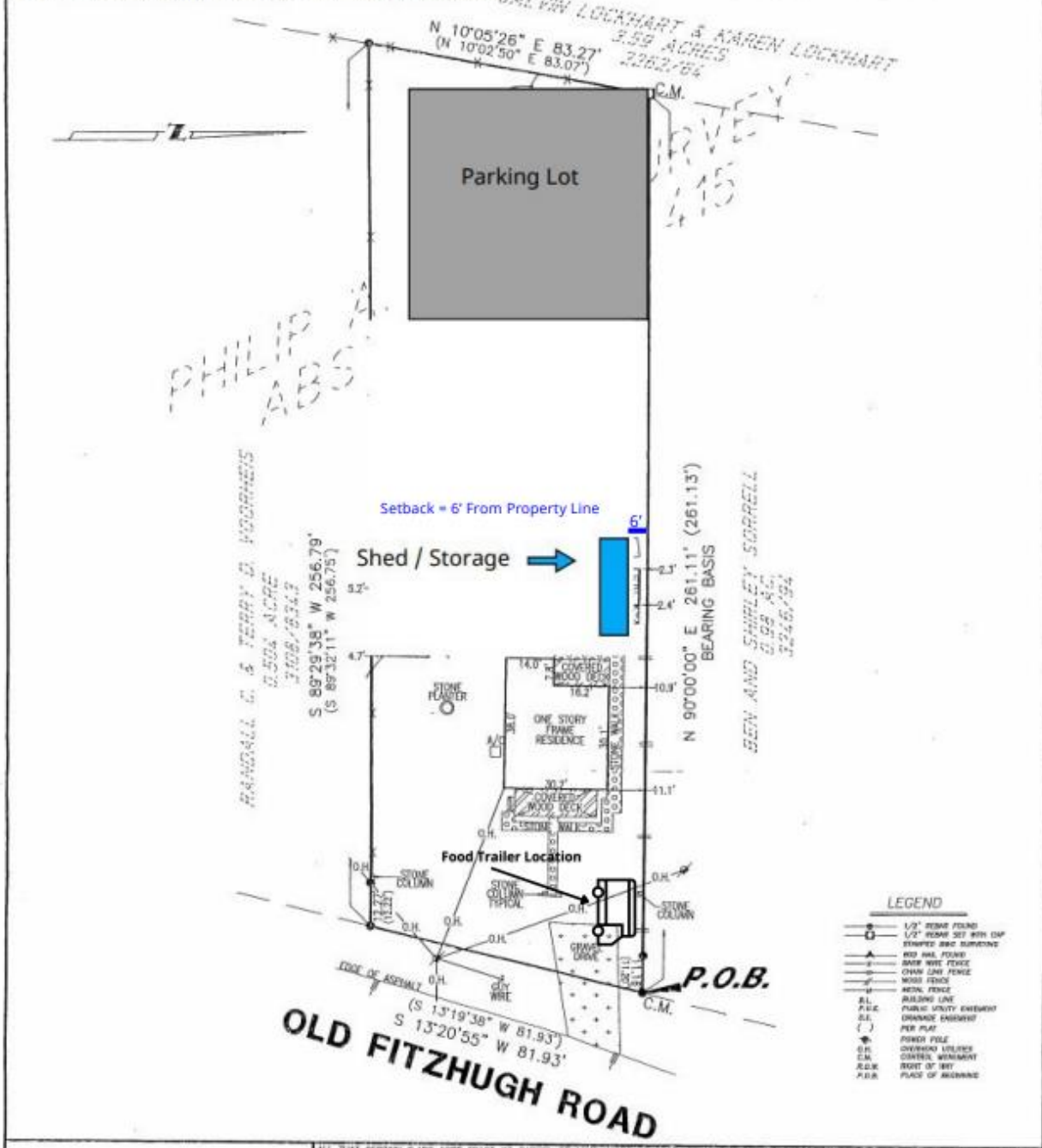
Granted to allow the land use of "mobile food vendor" on a property that is currently zoned Local Retail (LR) District located at:

501 Old Fitzhugh Road, Dripping Springs, Texas, 78620  
Approved by the City of Dripping Springs City Council on \_\_\_\_\_

Operation of an office warehouse at the above-mentioned location is allowed pursuant to the following regulations:

1. The property shall adhere to all City codes.
2. Hours of operation are limited to the hours of the Sidecar Tasting Room.
3. The property adheres to all Fire and Life Safety Codes found in the International Fire Code.
4. Should the City find the mobile food truck to create health and safety issues due to any reason, the City Administrator may request that the Applicant remove any vehicle from the site. The Applicant shall comply with the City Administrator's request.
5. This Conditional use Permit automatically renews for successive two (2) year periods unless an objection is raised by the City Administrator based on either:
  - a. A history of poor code compliance; or
  - b. A revision to the Comprehensive Plan that renders the CUP incompatible.
6. The City Administrator may revoke a CUP for failure to comply with municipal regulations and the conditions placed on the use.
7. Conditional Use Permit is effective on \_\_\_\_\_.

Sidecar Tasting Room Site Plan - August 2020



**LEGEND**

- 1/2" REBAR FOUND
- 1/2" REBAR SET WITH CAP STAMPED AND SURVEINED
- ▲ RED WIRE FENCE
- BASE WIRE FENCE
- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- BUILDING LINE
- P.O.B. PUBLIC UTILITY EXHIBIT
- S.E. DRAINAGE EXHIBIT
- ( ) PER PLAN
- FENCE POLE
- O.H. OVERHEAD UTILITY
- C.M. CONTROL MEASUREMENT
- R.O.B. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING