



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Mark Escobedo, Code Enforcement Officer  
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**Council Meeting Date:** December 3, 2024

**Agenda Item Wording:** **Discuss and consider termination of Sign Permit for Citgo pole sign located at Dripping Springs Grocery, 601 Hwy 290 W.** Sponsor: Mayor Bill Foulds, Jr.

**Background:** On October 1, 2024, the City Council reviewed compliance issues related to the Citgo Gas Station at 601-290W, focusing on noncompliant lighting and the maintenance of a nonconforming pole sign.

After presentations by staff and the property owner, the Council passed a resolution granting the property owner 60 days to:

1. Repair the main pole sign to meet maintenance requirements under the City's Sign Ordinance.
2. Ensure that all other signs and lighting on the property comply with the conditions of the 2012 variance and the City's current ordinances.

The resolution, passed 3-1 (with one recusal), established a compliance deadline of December 2, 2024.

On November 14, 2024, City staff delivered a letter to Citgo reiterating the compliance requirements and advising of enforcement actions if the violations were not remedied.

On November 22, 2024, Citgo submitted a formal extension request "through the month of December". To date, Citgo has not submitted documentation sufficient to establish that these issues constitute extraordinary circumstances or significant good-faith efforts under Sec. 26.04.004 of the City Code

**Code Requirements for Extensions** Under Sec. 26.04.004 of the Code of Ordinances:

- Nonconforming signs may not be repaired if the cost exceeds 60% of the cost of a new sign; such signs must be removed at the property owner's expense.

- Repairs below the 60% threshold must be completed within 60 days of notice. A one-time extension of 30 days may be granted if the property owner demonstrates good-faith efforts to comply or extraordinary circumstances.
- Failure to comply or document extenuating circumstances may result in sign removal by the City at the property owner's expense.

**December 3, 2024  
Council Meeting**

Citgo has been invited to attend the December 3, 2024 Council meeting to present evidence supporting their request for an extension. The following options will depend on whether Citgo satisfies the criteria for an extension.

**Analysis of Circumstances**

**1. Good-Faith Efforts:**

- Citgo has initiated discussions with contractors and suppliers but has not demonstrated measurable progress. Documentation of purchase orders, supplier communications, or interim corrective measures (e.g., glare reduction) has not been provided.

**2. Extraordinary Circumstances:**

- Citgo has cited supply chain delays and contractor shortages but has not provided detailed evidence substantiating these claims, such as contractor correspondence or proof of material backlogs.

**Options for Council  
Consideration**

If Citgo submits sufficient documentation at or before the December 3, 2024 meeting, Council may consider granting a **30-day extension** to January 2, 2025, with the following conditions:

- 1. Submission of Documentation:** Citgo must provide repair cost estimates to confirm whether the pole sign's repair costs fall below the 60% threshold under Sec. 26.04.004.
- 2. Interim Measures:** Citgo must implement immediate glare-reduction measures for exterior lighting by December 15, 2024.
- 3. Completion Deadline:** All repairs and compliance must be completed by January 2, 2025.
- 4. Noncompliance Penalties:** Noncompliance by January 2, 2025, will result in the City removing the noncompliant sign and other violations at the property owner's expense.

**If Citgo Fails to Demonstrate Good-Faith Efforts or Extraordinary Circumstances**

If Citgo fails to establish extenuating circumstances or good-faith efforts, Council may proceed with enforcement measures, including:

1. **Revocation of the Pole Sign Variance:** Initiate removal of the nonconforming pole sign under Sec. 26.04.004.
2. **Immediate Removal of Noncompliant Elements:** Authorize staff to remove noncompliant signs and lighting starting December 4, 2024, at the property owner's expense.

**Commission  
Recommendations:**

N/A

**Recommended  
Council Actions:**

Staff recommends that Council:

1. Hear Citgo's explanation of circumstances at the December 3, 2024 meeting.
2. Grant a 30-day extension to January 2, 2025, only if sufficient evidence of extenuating circumstances or good-faith efforts is provided.
3. Authorize staff to remove noncompliant signs and lighting at Citgo's expense starting December 4, 2024, if no adequate justification is presented.

**Attachments:**

- (a) Notice of Violation dated August 5, 2024 re: Building Lighting
- (b) Notice of Violation dated August 5, 2024 re: Non-compliant sign
- (c) Notice of Violation dated August 5, 2024 re: Maintenance of Sign

Staff report from October 1, 2024 City Council meeting

Letter to Citgo delivered November 14, 2024

E-mail from Citgo requesting extension for compliance