

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2025-__

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS ("CITY"), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 4.98 ACRES FROM AGRICULTURAL (AG) TO GENERAL RETAIL WITH A CONDITIONAL OVERLAY (GR-CO); AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs ("City Council") seeks to promote orderly land use and development within the City; and

WHEREAS, the City Council finds to be reasonable and necessary the rezoning of the tract, described more fully in Appendix "A" to Attachment "A" and totaling approximately 4.98 acres, from Agricultural (AG) to General Retail with a Conditional Overlay (GR-CO), and the adoption of a conditional overlay to the tract in addition to the rezoning; and

WHEREAS, the City Council recognizes changed conditions and circumstances in the particular location; and

WHEREAS, the City Council finds that the zoning change is compatible with the surrounding area and with the City's Zoning Ordinance and Comprehensive Plan; and

WHEREAS, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on September 23, 2024, to consider the proposed amendment and the Planning and Zoning Commission unanimously recommended approval of the proposed change; and

WHEREAS, after public hearing held by the City Council on October 21, 2025, the City Council voted to approve the recommendation of the Planning and Zoning Commission; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or 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, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; 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 if expressly set forth herein.

2. ENACTMENT

One tract of land totaling approximately 4.98 acres and described more fully described in Appendix "A" to Attachment "A" is hereby rezoned Agricultural (AG) to General Retail with a Conditional Overlay (GR-CO).

Further, the property will also have a conditional overlay that limits certain development standards on the property. The conditional overlay is described in Attachment "A".

3. REPEALER

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

4. SEVERABILITY

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

5. CHANGE ON ZONING MAP

The City Administrator is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Dripping Springs, Texas.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, 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 _____, _____, 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:

Diana Boone, City Secretary

DRAFT

City of Dripping Springs
CODE OF ORDINANCES
CHAPTER 30: ZONING
EXHIBIT A

1.1. Applicability

This Ordinance shall apply solely to the following tracts, which shall herein be referred to as the subject property;

APPROXIMATELY 4.98 ACRES OF LAND, BEING OUT OF AND A PART OF THE PHILIP A. SMITH SURVEY NUMBER 26, ABSTRACT NUMBER 415, SITUATED IN HAYS COUNTY, TEXAS, SAID 4,980 ACRE TRACT BEING A PORTION OF A CALLED 591.858 ACRE TRACT OF LAND CONVEYED TO DEVELOPMENT SOLUTIONS CAT, LLC., IN VOLUME 4682, PAGE 342 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 4.980 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS IN APPENDIX "A".

1.2. Base Zoning District

Except as provided in section 1.3 (below), the subject property shall be governed by the rules applying in General Retail – (GR) zoning district.

1.3. Overlay

1.3.1. The Conditional Overlay is hereby amended and effectuated upon the subject property. The boundary of the Overlay District shall be coterminous with the perimeter of the subject property.

1.3.2. The Overlay only permits the following uses:

1. Insurance Agency Offices
2. Offices, General/Professional
3. Offices, Health Services
4. Offices, Professional

5. Bakery or Confectionary (Retail)
6. Dance/Drama/Music Studio or School
7. Financial Services
8. Pet Shop/Supplies
9. Pharmacy
10. Veterinarian Clinic (Indoor Kennels)
11. Day Camp for Children
12. Health Club
13. Child Day-Care Facility
14. Emergency Care Clinic
15. Medical Clinic or Office
16. School (public or private, including tutoring center)

No other uses shall be permitted by right or by conditional use permit.

- 1.3.3.** The Overlay mandates that a rear landscape buffer along the western boundary shall be thirty feet (30'). All building line setbacks shall comply with the base GR zoning.

APPENDIX "A".

4.980 ACRES
 PHILIP A. SMITH SURVEY NUMBER 26,
 ABSTRACT NUMBER 415
 HAYS COUNTY, TEXAS
 COMMERCIAL TRACT

FIELD NOTES

BEING ALL OF 4.980 ACRES OF LAND, BEING OUT OF AND A PART OF THE PHILIP A. SMITH SURVEY NUMBER 26, ABSTRACT NUMBER 415, SITUATED IN HAYS COUNTY, TEXAS, SAID 4.980 ACRE TRACT BEING A PORTION OF A CALLED 591.858 ACRE TRACT OF LAND CONVEYED TO DEVELOPMENT SOLUTIONS CAT, LLC., IN VOLUME 4682, PAGE 342 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.TX.), SAID 4.980 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a concrete monument found, being an eastern corner of a called 4.00 acre tract of land conveyed to F. Gayle Needham in Volume 1633, Page 259 of the Deed Records of Hays County, Texas (D.R.H.C.TX.), and being also a point on a western right-of-way line of Ranch Road 12 (80' R.O.W.), for the **POINT OF COMMENCEMENT** of the herein described tract,

THENCE, crossing said 4.00 acre tract, a called 1.00 acre tract of land conveyed to 1DOWN RR 12, LLC Instrument Number 15013497 (O.P.R.H.C.TX.), and a called 1.277 acre tract of land conveyed to Tina Johnson in Instrument Number 19033634 (O.P.R.H.C.TX.), S10°17'55"W, a distance of 308.77 feet to a calculated point, at a point of curvature, for a curve to the right, being a northeastern corner of said 591.858 acre tract, same being a point on a southern boundary line of said 1.277 acre tract and being also a point on a western right-of-way line of said Ranch Road 12, for a northeastern corner and the **POINT OF BEGINNING** of the herein described tract,

THENCE, with the common boundary line of said 591.858 acre tract and said Ranch Road 12, the following two (2) courses and distances, numbered 1 and 2,

1. with said curvature to the right, having a radius of 5653.79 feet, an arc length of 353.13 feet, and whose chord bears S07°08'18"W, a distance of 353.07 feet to a calculated point, and
2. S08°49'06"W, a distance of 25.59 feet to a calculated point, being a point on an eastern boundary line of said 591.858 acre tract, same being a point on a western right-of-way line of said Ranch Road 12, and being also a northeastern corner of Lot 1, Block D of the Amended Plat of Caliterra Phase One, Section Two, a subdivision recorded in Volume 18, Page 323, for a southeastern corner of the herein described tract,

THENCE, with the common boundary line of said 591.858 acre tract and said Amended Plat of Caliterra Phase One, Section Two, the following four (4) courses and distances, numbered 1 through 4,

1. S60°37'51"W, a distance of 89.06 feet to a calculated point,
2. S79°07'16"W, a distance of 283.83 feet to a calculated point,
3. S88°14'32"W, a distance of 83.62 feet to a calculated point, and

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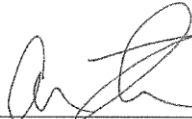
4.980 ACRES
PHILIP A. SMITH SURVEY NUMBER 26,
ABSTRACT NUMBER 415
HAYS COUNTY, TEXAS
COMMERCIAL TRACT

4. N01°46'19"W, a distance of 510.95 feet to a calculated point, being an eastern corner of said 591.858 acre tract, same being the northeastern corner of Lot 11, Block, being also a southeastern corner of Lot 12, Block D, both of said The Amended Plat of Caliterra

Phase One, Section Two, and being also a southwestern corner of said 1.277 acre tract, for the northwestern corner of the herein described tract,

THENCE, with the common boundary line of said 591.858 acre tract and said 1.277 acre tract, S85°59'37"E, a distance of 504.76 feet to the **POINT OF BEGINNING** and containing 4.980 acres of land.

Surveyed by:



11 Nov 2021

AARON V. THOMASON, R.P.L.S. NO. 6214
Carlson, Brigrance and Doering, Inc.
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Austin, TX 78749
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BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204)

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