

**CITY OF DRIPPING SPRINGS**

**ORDINANCE No. 2025-\_\_\_\_\_**

**CONDITIONAL USE PERMIT**

**AN ORDINANCE APPROVING THE EXTENSION OF A CONDITIONAL USE PERMIT FOR THE USE OF MOBILE FOOD VENDOR WITHIN THE COMMERCIAL SERVICES ZONING DISTRICT 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**, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on February 25, 2025, to consider the proposed extension of the Conditional Use Permit and the Planning and Zoning Commission recommended disapproval of the proposed change; and

**WHEREAS**, after public hearing held by the City Council on March 25, 2025, the City Council voted to approve the proposed change; 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 \_\_\_\_\_ 2025, 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



### City of Dripping Springs | Conditional Use Permit

Granted to allow the land use of "mobile food vendor" on a property that is currently zoned  
Commercial Services (CS) District located at:  
501 Old Fitzhugh Road, Dripping Springs, Texas, 78620  
Approved by the City of Dripping Springs City Council on March 25, 2025

1. The property shall adhere to all City Codes.
2. The property shall adhere to all Fire and Life Safety Codes found in the International Fire Code.
3. The property shall adhere to the City's dark sky ordinance.
4. The Decibel Level shall not exceed 65 decibels. Decibel level shall be measured at the property line.
5. Hours of operation are limited to the hours of the primary business on the property and not later than a closing time of 10:00 p.m. Sunday through Thursday, and 11:00 p.m. Friday and Saturday.
6. 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.
7. The City Administrator may revoke a CUP for failure to comply with municipal regulations and the conditions placed on the use.
8. Conditional Use Permit is effective on March 25, 2025.
9. Conditional Use Permit expires March 25, 2027, and the renewal must be considered by the Planning & Zoning Commission and City Council.