

**CITY OF DRIPPING SPRINGS**  
**ORDINANCE No. 2024-\_\_\_\_\_**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 0.483 ACRES FROM SINGLE FAMILY (SF-1) DISTRICT TO LOCAL RETAIL (LR); 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 Attachment “A” and totaling approximately .483 acres, from Single Family (SF-1) to Local Retail (LR); 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 April 23, 2024, to consider the proposed amendment and the Planning and Zoning Commission recommended approval of the proposed change; and

**WHEREAS**, after public hearing held by the City Council on May 7, 2024, 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 expressly set forth herein.

**2. ENACTMENT**

One tract of land totaling approximately .483 acres and described more fully in Attachment “A” and shown in Attachment “B”, is hereby rezoned from Single Family (SF-1) to Local Retail (LR).

**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. 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 \_\_\_\_\_ 2024, 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:**

\_\_\_\_\_  
Hector Gomez, City Secretary

*Attachment "A" Description of Tract*

575 Old Fitzhugh Road, Dripping Springs, TX 78620, Legal Description: A0415 PHILIP A SMITH SURVEY, ACRES 0.50.

**EXHIBIT A**

**A DESCRIPTION OF A 0.483 ACRE TRACT OF LAND BEING ALL OF THAT ONE-HALF ACRE TRACT OF LAND DESCRIBED IN VOLUME 3430, PAGE 585 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SITUATED IN THE PHILIP A. SMITH SURVEY, ABSTRACT NO. 415 IN SAID COUNTY, SAID 0.483 ACRE AS SHOWN ON THE ACCOMPANYING MAP BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a 3 inch metal fence post for the northwest corner of said 0.483 acre, being in the south line of that certain 2.062 acre tract of land described in Document No. 19043834 of the Official Public Records of said County and being a lower southeast corner of that certain 2.632 acre tract of land described in Document No. 21022144 of the Official Public Records of said County;

**THENCE** along the north line of said 0.483 acre, being the south line of said 2.062 acres, S85°31'35"E, 267.99 feet to a ½ inch iron rod found for the southeast corner of said 2.062 acres being in the new right of way line of Old Fitzhugh Road and S85°31'52"E, 29.01 feet to a point for the northeast corner of said 0.483 acres, being called the centerline of said Old Fitzhugh Road;

**THENCE** along the east line of said 0.483 acre, being called the centerline of said Old Fitzhugh Road, S24°37'33"W, 78.14 feet to a ½ inch iron rod found for the southeast corner of said 0.483 acre;

**THENCE** along the south line of said 0.483 acre, N85°23'30"W, 18.66 feet to a ½ inch iron rod found for the northeast corner of that certain 4.390 acre tract of land described in Document No. 21028598 of the Official Public Records of said County, being in the new right of way line of Old Fitzhugh Road;

**THENCE** continuing along the south line of said 0.483 acre, being the north line of said 4.390 acres, N85°07'01"W, 265.03 feet to a ½ inch iron rod found for the southwest corner of said 0.483 acre, being a north corner of said 4.390 acres and being in the most southeast line of said 2.632 acres;

**THENCE** along the west line of said 0.483 acres, being the most southeast line of said 2.632 acres, N15°15'22"E, 72.68 feet to the **POINT OF BEGINNING** containing 0.483 acre of land, more or less.

Attachment "B"  
.483 Property Depiction

