

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2020-17

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 7.5 ACRES FROM AGRICULTURAL DISTRICT (AG) TO COMMERCIAL SERVICES DISTRICT (CS); 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 7.5 acres, from Agricultural (AG) to Commercial Services District (CS); 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 28, 2020 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 12, 2020, 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 7.5 acres and described more fully in *Attachment "A"* and shown in *Attachment "B"*, is hereby rezoned from Agricultural (AG) to Commercial Services (CS).

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 12th day of May 2020, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr.

Bill Foulds, Jr., Mayor

ATTEST:

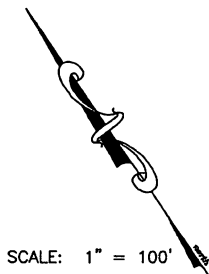
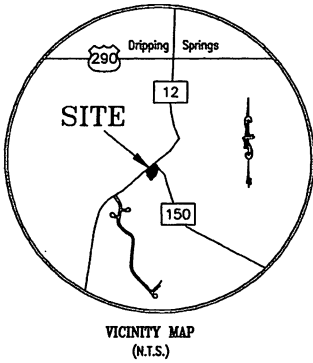
Andrea Cunningham

Andrea Cunningham, City Secretary



HOWARD RANCH COMMERCIAL

Attachment "A"



SCALE: 1" = 100'

LEGEND

- IRON ROD SET
- IRON ROD FOUND
- CONCRETE MONUMENT FOUND
- B.L. BUILDING SETBACK LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- CRITICAL WATER QUALITY ZONE (CWQZ)
- WATER QUALITY BUFFER ZONE (WQBZ)
- 100 YEAR FULLY DEVELOPED FLOOD PLAIN

Curve Table						
Curve #	Length	Radius	Chord Distance	Chord Length	Tangent	DELTA
C1	11.00	2925.79	N45°39'00"E	11.00	5.50	0°12'35"
C2	282.79	996.65	N27°10'28"E	282.83	132.16	15°06'27"
C3	228.97	914.94	S43°45'33"E	226.13	129.34	16°05'32"
C4	353.13	1000.00	S54°12'26"E	351.30	178.42	20°13'59"

Line Table		
Line #	Length	Direction
L1	142.88	S81°17'00"E
L2	57.84	S29°50'22"W
L3	58.45	N46°42'16"E
L4	161.53	N49°17'44"W

GENERAL NOTES:

- THIS FINAL PLAT IS LOCATED ENTIRELY WITHIN THE CITY OF DRIPPING SPRINGS
- NO PORTION OF THIS PLAT LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE
- THIS PLAT LIES WITHIN THE BOUNDARIES OF THE CONTRIBUTING ZONE OF THE BARTON SPRINGS SEGMENT OF THE EDWARDS AQUIFER
- THIS PLAT IS LOCATED WITHIN THE BOUNDARY OF THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT
- THIS PLAT IS BASED UPON THE TOPOGRAPHICAL INFORMATION TAKEN FROM AN AERIAL SURVEY PERFORMED BY KERRY MACALLISTER, DATED: JULY 2001
- ALL PROPERTY CORNERS ARE SET WITH 1/2-INCH IRON RODS WITH PLASTIC CAPS STAMPED "CBD SETSTONE", UNLESS OTHERWISE NOTED
- WATER SERVICE WILL BE PROVIDED TO EACH LOT FROM THE DRIPPING SPRINGS WATER SUPPLY CORPORATION
- WASTEWATER SERVICE WILL BE PUBLIC SANITARY SEWER OR INDIVIDUAL ON-SITE SEWAGE FACILITIES AS AVAILABLE PER THE TERMS OF THE WASTEWATER UTILITY AGREEMENT BETWEEN THE OWNER AND THE CITY OF DRIPPING SPRINGS
- ELECTRIC SERVICE WILL BE PROVIDED BY THE PEDERNALES ELECTRIC COOPERATIVE
- TELEPHONE SERVICE WILL BE PROVIDED BY TIME WARNER CABLE
- UTILITY EASEMENTS OF 20 FEET SHALL BE LOCATED ALONG EACH SIDE OF DEDICATED RIGHTS-OF-WAY, 10 FEET WIDE ALONG EACH SIDE OF ALL LOTS AND 15 FEET CENTERED ON ANY EXISTING PEC FACILITIES
- THIS PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE CITY OF DRIPPING SPRINGS REQUIREMENTS
- COORDINATES SHOWN ARE BASED ON TEXAS STATE PLANE COORDINATES, NAD 83, SOUTH CENTRAL ZONE (US SURVEY FEET) AND ARE SURFACE VALUES; TO CONVERT TO GRID, MULTIPLY EACH VALUE BY A COMBINED SCALE FACTOR OF 0.9999699
- NO PART OF THIS SUBDIVISION IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN AS DELINEATED ON FLOOD INSURANCE RATE MAP NO. 48209C 0115F, DATED SEPTEMBER 2, 2005
- THE REQUIREMENT CONCERNING CONSTRUCTION STANDARDS FOR MAILBOXES INSTALLED WITHIN THE RIGHT-OF-WAY OF STREETS AND HIGHWAYS AND REQUIRING ALL SUCH MAILBOXES TO BE MADE OF COLLAPSIBLE MATERIALS, AS DEFINED IN THE ORDINANCE
- THERE IS A WATER QUALITY BUFFER ZONE, AS DEFINED BY THE CITY OF DRIPPING SPRINGS.
- THIS PLAT IS IN COMPLIANCE WITH THE 2012 INTERNATIONAL FIRE CODE AND LOCAL AMENDMENTS
- THIS PLAT IS IN COMPLIANCE WITH THE 2012 INTERNATIONAL FIRE CODE ADOPTED BY THE ESD #6
- THIS TRACT WILL COMPLY WITH ALL APPROPRIATE ZONING STANDARDS AS APPLICABLE
- NO OTHER DRIVEWAY ACCESS IS ALLOWED FROM STATE ROADS EXCEPT AS ALLOWED IN THE ACCESS EASEMENT ON THE FACE OF THE PLAT
- THIS PLAT AND SUBSEQUENT SITE DEVELOPMENT PLANS SHALL COMPLY WITH THE MOST CURRENT INTERNATIONAL FIRE CODE AS ADOPTED AND AMENDED BY THE EMERGENCY SERVICE DISTRICT # 6, OR ITS SUCCESSORS."

DATE: OCTOBER 23, 2017

OWNER: HOWARD LAND & CATTLE, LTD
23255 W. FM 150
DRIFTWOOD, TEXAS 78619

ACREAGE: 7.500 ACRES

J. STILES FOWLER SURVEY NUMBER 31,
ABSTRACT NUMBER 174
PHILIP A. SMITH SURVEY NUMBER 26,
ABSTRACT NUMBER 415
NO. OF COMMERCIAL LOTS: 1
NO. OF BLOCKS: 1

ENGINEER & SURVEYOR:
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON DRIVE
AUSTIN, TX 78749
PHONE: 512-280-5160
FAX: 512-280-5165

F.E.M.A. MAP NO.: 48209C 0115F
DATED: SEPTEMBER 02, 2005
HAYS COUNTY, TEXAS

ELEVATION DATUM:

BENCHMARK INFORMATION BASED ON STATE PLANS OF CONSTRUCTION AT RANCH ROAD 12 AND RANCH ROAD 150 DATED NOVEMBER 24, 2003.

FOUND COTTON SPINDLE IN TELEPHONE POLE AT SOUTHEAST CORNER OF RANCH ROAD 12 AND RANCH ROAD 150.
ELEVATION = 1098.42'

FOUND COTTON SPINDLE IN TELEPHONE POLE IN THE WEST RIGHT-OF-WAY OF RANCH ROAD 12 SOUTH OF RANCH ROAD 150.
ELEVATION = 1084.22'

SET 1-600 BENT NAIL IN 8" LIVE OAK TREE IN LOT 2, BLOCK A OF HOWARD RANCH SUB. SEC. 1 PLAT.
ELEVATION = 1077.34'

A SUBDIVISION OF 7.500 ACRES BEING THE HOWARD RANCH COMMERCIAL SUBDIVISION, IN THE J. STILES FOWLER SURVEY NUMBER 31, ABSTRACT NUMBER 174, AND THE PHILIP A SMITH SURVEY NUMBER 26, ABSTRACT NUMBER 415, OF HAYS COUNTY, TEXAS

SHEET NO. 1 OF 2



Carlson, Brigance & Doering, Inc.
FIRM ID #F3791 REG. # 10024900
Civil Engineering Surveying
5501 West William Cannon Austin, Texas 78749
Phone No. (512) 280-5160 Fax No. (512) 280-5165

PATH-J:\4931\SURVEY\HOWARD RANCH COMMERCIAL LOT.dwg

HOWARD RANCH COMMERCIAL

STATE OF TEXAS §
 COUNTY OF HAYS §

KNOW ALL MEN BY THESE PRESENTS:

THAT HOWARD LAND & CATTLE LTD, BEING THE OWNER OF A REMAINDER 14.885 ACRES OF LAND IN THE J. STILES FOWLER SURVEY NUMBER 31, ABSTRACT NUMBER 174 AND THE PHILIP A. SMITH SURVEY NUMBER 26, ABSTRACT NUMBER 415, BOTH SITUATED IN HAYS COUNTY, TEXAS, AS CONVEYED BY DEED RECORDED IN VOLUME 2894, PAGE 336 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 7.500 ACRES OF LAND, TO BE KNOWN AS:

"HOWARD RANCH COMMERCIAL"

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS, COVENANTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

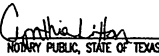


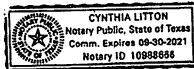
10-30-17
 DATE

HOWARD LAND & CATTLE LTD
 162 ERK HOWARD, OWNER
 23255 W FM 150
 DRETTWOOD, TEXAS 78619

STATE OF TEXAS §
 COUNTY OF HAYS §

BEFORE, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED ERK HOWARD, OWNER OF HOWARD LAND & CATTLE LTD, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.


 NOTARY PUBLIC, STATE OF TEXAS



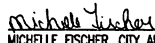
Cynthia Litton
 PRINTED NOTARY'S NAME
 MY COMMISSION EXPIRES: 09-30-2021

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION TO-WIT:

NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY THE CITY OF DRIPPING SPRINGS TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.
 NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY THE CITY OF DRIPPING SPRINGS PLANNING DEPARTMENT.
 NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL CITY OF DRIPPING SPRINGS DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

STATE OF TEXAS §
 CITY OF DRIPPING SPRINGS §
 HAYS COUNTY, TEXAS §

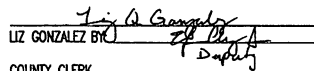
THIS PLAT, HOWARD RANCH COMMERCIAL, HAS BEEN SUBMITTED AND CONSIDERED BY THE CITY OF DRIPPING SPRINGS AS A FINAL PLAT FOR ADMINISTRATIVE APPROVAL PURSUANT TO ORDINANCE 1230.09, AND HAS BEEN FOUND TO COMPLY WITH THE CITY'S CODE OF ORDINANCES, AND IS HEREBY APPROVED ADMINISTRATIVELY.


 MICHELLE FISCHER, CITY ADMINISTRATOR

DATE: 3/18/2018

I, LIZ GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IN WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 8th DAY OF March 20 18 A.D., AT 4:07 O'CLOCK P.M. IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN VOLUME PAGE(S) CFN: 1800 8199

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 8th DAY OF March 20 18 A.D.


 LIZ GONZALEZ BY

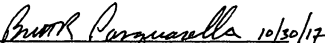


COUNTY CLERK
 HAYS COUNTY, TEXAS

STATE OF TEXAS §
 COUNTY OF TRAVIS §

I, BRETT R. PASQUARELLA, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT. I CERTIFY TO THE COMPLETENESS, ACCURACY AND COMPLIANCE TO THE CITY OF DRIPPING SPRINGS SUBDIVISION ORDINANCES.

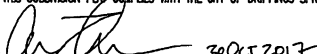
ALL STORMWATER RESULTING FROM THE 100 YEAR RAIN EVENT WILL BE CONTAINED IN THE DRAINAGE EASEMENTS SHOWN ON THE PLAT. NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL INSURANCE RATE MAP PANEL NO. 48209C-0115F, DATED SEPTEMBER 02, 2005.

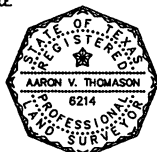
ENGINEERING BY: 
 BRETT R. PASQUARELLA, P.E., No. 04769 DATE 10/30/17
 CARLSON, BRIGANCE & DOERING, INC.
 5501 WEST WILLIAM CANNON DRIVE,
 AUSTIN, TEXAS 78749



STATE OF TEXAS §
 COUNTY OF TRAVIS §

I, AARON V. THOMASON, R.P.L.S., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS, TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS SUBDIVISION PLAT COMPLIES WITH THE CITY OF DRIPPING SPRINGS ORDINANCE.

SURVEYED BY: 
 AARON V. THOMASON, R.P.L.S. NO. 6214 DATE 30 Oct 2017
 CARLSON, BRIGANCE & DOERING, INC.
 5501 WEST WILLIAM CANNON DRIVE,
 AUSTIN, TEXAS 78749



A SUBDIVISION OF 7.500 ACRES BEING THE HOWARD RANCH COMMERCIAL SUBDIVISION, IN THE J. STILES FOWLER SURVEY NUMBER 31, ABSTRACT NUMBER 174, AND THE PHILIP A SMITH SURVEY NUMBER 26, ABSTRACT NUMBER 415, OF HAYS COUNTY, TEXAS

SHEET NO. 2 OF 2



Carlson, Brigance & Doering, Inc.

FIRM ID #F3791 REG. # 10024900

Civil Engineering Surveying
 5501 West William Cannon Austin, Texas 78749
 Phone No. (512) 280-5160 Fax No. (512) 280-5165

PATH-J:\4931\SURVEY\HOWARD RANCH COMMERCIAL LOT.dwg