

ORDINANCE NO. 885

“Amending Chapter 40 (Zoning)”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS, TO AMEND PART II: CODE OF ORDINANCES; CHAPTER 40: ZONING; AND TO CREATE CHAPTER 10 (BUSINESSES AND BUSINESS REGULATIONS), ARTICLE VIII (SHORT TERM RENTALS) AND ARTICLE IX (HOME BASED BUSINESSES); AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; A SAVINGS CLAUSE; SEVERABILITY; REPEALER; EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council (the “Council”) of the City of Granite Shoals, Texas (the “City”) seeks to promote the public health, safety, and general welfare of the residents of the City; and

WHEREAS, the Council seeks to provide for the safe and orderly development of land and the use of property within the City’s corporate limits; and

WHEREAS Chapter 211 of the Texas Local Government Code, Section 2.04 of the City Charter, and Chapter 40 of the City’s Code of Ordinances authorize the Council to adopt zoning regulations and to amend the Zoning Ordinance from time to time; and

WHEREAS the City’s existing ordinances regarding its General Business Districts and Industrial Zoning require revision to update terms, add and improve definitions, and to modify business types to promote economic development and growth for the City; and

WHEREAS the City’s existing ordinances regarding the zoning and regulation of accessory structures, buildings, and garages require revision to promote the public health, safety, and general welfare of the residents of the City; and

WHEREAS amendments to Chapter 40 of the City’s Code of Ordinances are necessary to clarify and modernize this Chapter, and bring this Chapter into compliance with changes in state law; and

WHEREAS, the Planning and Zoning Commission has considered the contents of this ordinance and held a properly noticed public hearing on November 4, 2025, at which time all persons interested in the proposed amendments to the City’s zoning ordinance had an opportunity to be heard; and

WHEREAS, the City Council held a properly noticed public hearing on November 18, 2025, at which time all persons interested in the proposed amendments to the City’s zoning ordinance had an opportunity to be heard; and

WHEREAS, the proposed amendments to the City’s zoning ordinance promote the public health, safety, and general welfare of the residents of the City, and provide for the safe and orderly development and land use of property within the City’s corporate limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City of Granite Shoals and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION II. AMENDMENT

Part II (Code of Ordinances), Chapter 40 (Zoning), is hereby amended as follows:

“Sec. 40-1 Purpose

This chapter is enacted for the purpose of promoting health, safety, morals and the general welfare of the community, in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements.

Sec. 40-2 Administration. (Moved up from Sec 40-19)

(a) 1-6- No change

(b) No change

Sec. 40-3 Board of Adjustment. (Moved up from 40-20)

~~The mayor, with the concurrence of the city council,~~ The city council, pursuant to Article III, Division 2 of this code of ordinances as well as the Article VIII of the Charter, as may be amended, shall appoint a board of adjustment when required. The board shall carry out its assignment and be bound by the V.T.C.A., Texas Local Government Code secs. 211.008 through 211.014.

Sec. 40-4 Annexation and zoning of annexed areas. (Moved up from 4-21)

(a) Annexation by the city, whether it be voluntary or involuntary shall be carried out in accordance with the procedures outlined in the Texas Local Government Code.

(b) No change

(c) ~~If the zoning of the property was not approved concurrently with the annexation proceedings, it~~ Upon annexation, annexed property shall be automatically zoned Agricultural District, AG, until it is rezoned to another zoning classification. It is anticipated that agriculture zoned land will eventually be rezoned to another more permanent, urban zoning classification in the future.

(d) No change

(e) No change

Sec. 40-5 Changes and amendments to the zoning ordinance. (Moved up from 40-23)

(a)-(c) No Change

(d) Fees for requesting a change in zoning. An applicant requesting an amendment, supplement, change, or modification of this chapter, or requesting a hearing before the board of adjustment, which required the sending of notices, shall pay a fee for the filing, processing and legal notification of adjacent property owners as prescribed in Appendix B, Schedule of Fees and Charges, of this Code of Ordinances. ~~in ordinance No. 248~~

Sec. 40-6 Definitions. (Moved from Sec 40-2)

Accessory buildings and uses means a subordinate building or portion of the main building, the use of which is incidental to that of the ~~principal~~ dominate use of the main building or land which is enclosed and occupiable to humans, such as workshops, garages, guest suites, or studios, ~~including bona fide servants quarters.~~ An accessory building may not be used for commercial leasing, or rental as an apartment, dorm, accessory dwelling unit, or short-term rental.

Accessory structure and uses means a detached, subordinate structure, the use of which is ~~clearly~~ incidental to the principal use of the main structure or land which is not occupiable to humans, such as pergolas, gazebos, or storage sheds. ~~le structure and use of the land.~~ An accessory structure may not be used for commercial leasing, or rental as an apartment, dorm, accessory dwelling unit, or short-term rental.

Agent- No Change

Amusement Center- No Change

Apartment house and apartments mean any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three or more apartments, or which is occupied as the home, or residence of three or more families living independently of each other and maintaining separate cooking facilities. ~~a building, or portion thereof, which is designed or occupied as the home or residence of more than two families living independently of each other and doing their own cooking in the said building, and shall include flats and other multifamily dwellings.~~

Alcoholic beverage stores that comply with chapter- Retail business that predominately sells prepackaged alcoholic beverages, including liquors, wine, or beer, usually intended to be consumed off premise.

Automobile Parts & Accessory Sales-Sells equipment and parts used for repairing, servicing, or customizing vehicles.

Automobile Sales and Services Establishment that sells or rents passenger vehicles, such as cars, trucks, vans, motorcycles, or boats. This use would also include maintenance, sale of vehicle parts and accessories.

Bakeries Produces and sells baked goods, such as bread, cookies, cakes, doughnuts, bagels, pastries and pies.

~~Banks~~ Financial Services-Financial institution that accepts deposits from the public and creates a demand deposit, makes loans and other various lending activities.

Board- No change

~~Boardinghouse~~ means a building other than a hotel, where lodging or meals for five or more persons are served for compensation.

Building- No change

Building area- No change

Building height- No change

Building lot- No change

~~Business Or Commercial Schools~~ Technical and Vocational Schools Offers comprehensive education in various disciplines related to the world of business and management.

Church, Rectory, Temple, and other similar places. A religious institution that is organized and operated exclusively for religious, educational, scientific, or other charitable purposes, which may include conducting religious ceremonies and providing a residence for the leader.

City- No change

City manager- No change

City official- No change

Cleaning and Laundry Plant A facility used for cleaning fabrics, textiles, clothing, and laundry by immersion and/or agitation in solvents or other processes. A plant is a central facility that provides cleaning services to various business types.

Coin-operated machine- No change

Commercial recreation- No change

Condominium-No change

Contractor- No change

Contractor yard- No change

~~Corner clip~~ Visibility Triangle—means a triangular area at an intersection corner designed to provide sufficient room for intersection visibility. means a triangular right-of-way dedication (corner clip) measuring ten feet by ten feet, measured at the property line, that is required on corner lots at the intersection of two streets or intersection of a street and an alley to provide sufficient room for intersection visibility.

~~Day Nursery~~ Childcare A facility where young children are taken care of, especially while their parents are working.

District- No change

Driveway- No change

Driveway approach- No change

~~Drive-in Restaurants, Bowling Alley, & other similar places~~ Entertainment & Recreation-Commercial or public venue designed to provide amusement, performance, or leisure experiences.

Drug Store -Pharmacy- A retail establishment primarily engaged in the preparation, dispensing, and sale of prescription and non-prescription medications, health and wellness products, and related goods.

Dumpsters- A large, heavy-duty container designed for collecting and transporting waste materials.

Dwelling or dwelling unit means a building or portion thereof, designed and used exclusively for living, sleeping, cooking, and eating, including single-family, two-family and multifamily dwellings, but not including hotels, motels, lodginghouses, campers or camp trailers, or any vehicle or portable structure having no permanent foundation other than wheels, jacks or skirts.

Dwelling, multifamily means a building or portion thereof constructed for the occupancy of two or more families living independently of one another, and doing their own cooking in the building.

Dwelling, single family means one or more habitable rooms which are designed to be occupied by one family with facilities for living, sleeping, cooking and eating.

Dwelling unit means a suite of two or more habitable rooms that are occupied or that are used, designed, or intended to be occupied, with facilities for living, sleeping, cooking, and eating.

Eaves- No change

Enclosed storage- No change

Enforcement authority- No change

Farm Equipment Sales and Service A retail establishment selling, renting, or repairing agricultural machinery, equipment and supplies.

Fences mean constructed barriers, typically made of wood, metal, or wire, that encloses or separates an area, and may be used to mark property boundaries and provide security or privacy. ~~barriers of posts, wire, rails, etc., used as a boundary or means of protection or confinement.~~

Firewall- No change

Fueling Gas station means a facility where fuels for motor vehicles, powered watercraft and motorized equipment are sold and dispensed at retail. Such fuels may include, but are not limited to, gasoline, E85 and other ethanol blends, diesel, biodiesel, compressed gases, and other motor fuels. Fueling Gas stations may also sell fuel additives and lubricants, but maintenance/repair services are prohibited.

Good quality- No change

Funeral Home A business establishment that provides services related to the care, preparation, and burial or cremation of deceased individuals.

Furniture Store Retail store that sells furniture and related accessories

Greenhouse and Retail Nurseries Facility used for propagation, production, and sale of agricultural or ornamental plants. Serves the market by selling plants directly to customers.

Grocery/Market/Convenience Store Retail establishment primarily engaged in the sale of a general or limited line of food products and non-grocery products intended for home preparation or easy to grab products; may be attached to gas stations.

Hardware Store- Retail establishment that sells a variety of tools and home improvement items.

Hardware Stores/Sale of Building Material Retail store that sells household hardware for home improvement projects, home building materials, hand and power tools, electrical/plumbing supplies, paint, lawn and garden products and construction and maintenance materials.

Hospitals A licensed medical facility that provides comprehensive health care services, including diagnosis, treatment, and care for individuals who are ill or injured.

Hotel (Hospitality) means a building in which lodging or boarding and lodging are provided for more than 20 persons and offered to the public for compensation and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all hours. A commercial lodging facility that provides temporary public accommodation for to transient guests for consideration, typically for less than 30 consecutive days, that may include a variety of guest services and amenities, such as onsite restaurants, bars, conference rooms, fitness centers, and pools. The term "hotel" includes a hotel, motel, tourist home, tourist house, tourist court, inn, roominghouse, short term rental, or bed and breakfast. The term "hotel" does not include a hospital, sanitarium, nursing home, or a dormitory as defined in Texas Tax Code § 156.001.

Loading space- No change

Lodginghouse means a building, other than a hotel, where lodging without meals for five or more persons is provided for compensation.

Lot, corner- No change

Lot, interior- No change

Lot line, front- means that boundary of a building lot which is also the line of an existing or dedicated street. Upon corner lots, either street line may be selected as the front lot line provided a front and rear yard are established adjacent and opposite, respectively to the front lot line.

Lot of record- No change

Lot, through- No change

Machine or Fabrication Shop Facility that specializes in joining, repairing, or cutting metal materials using skilled welders.

Manufactured housing or manufactured home means a HUD-code manufactured home, including Texas Manufactured Housing, or a mobile home, and collectively means and refers to both.

Manufactured Home- A factory-built dwelling constructed after June 15, 1976, in compliance with HUD Code (Manufactured Home Construction and Safety Standards) that are built on a permanent chassis, transported in one or more sections and installed on a permanent foundation. (Mobile Homes were constructed prior to June 15, 1976, prior to HUD Code)

Marina- No change

Medical Outpatient Clinics *Medical and Health Services* Healthcare facility where patients receive diagnosis and treatment without being admitted to a hospital.

Modular/Industrialized Housing-Method of construction where homes are built in sections (modules) or components in a factory setting, then transported onsite for assembly. This type of housing must comply with the criteria outlined in the Residential Zoning District.

Motel Refer to hotel definition. ~~means a building or a group of buildings which contains living or sleeping accommodations used primarily to serve each living or sleeping unit.~~

Nursing Homes/Assisted Living A private institution providing residential accommodations with healthcare, especially for elderly people.

Nonconforming building means any building or part thereof that does not conform to current use regulations but did conform to the use regulations in effect at the time the use was established. ~~lawfully existing or occupied at the effective date of the ordinance from which this chapter is derived which does not comply with the regulations of the zoning district in which it is located.~~

Nonconforming use ~~means any use lawfully existing after the passage of this chapter, which does not comply with the regulations of the zoning district in which it is located.~~ means a land use that does not conform to current use regulations, but did conform to the use regulations in effect at the time the use was established.

Office Buildings Buildings used for administrative, clerical or educational activities.

On-site storage container- No change

Parking space, private No change

Parking space, public- No change

Paved areas- No change

Person- No change

Personal Service-Neighborhood Shops Provides needs of individual customers related to care, cleaning or repair, examples might be barbershop, hairdressers, beauty salon, tanning, shoe repair and laundromat. Small businesses located in local communities often provide specialized products or services.

Planning and Zoning- No change

Printing and Copying Services -Printing, publishing or graphic arts services

Public Utility -No change

Public Use- No change

Recreational Vehicle Sales Establishment that sells and or rents new and or used recreational vehicles, travel trailers, boats, watercrafts and similar types of vehicles.

Recreational vehicle park or RV park- No change

Privacy fence means a fence constructed of wood slats, chainlink with slats, masonry or similar material, and so constructed and maintained as to virtually prevent vision through it.

Repair facility 1 means a facility that may sell at retail motor fuels as identified above, and may sell and/or install some/all of the following repair/replacement products for motor vehicles, powered watercraft and motorized equipment: a facility that combines retail sales such as auto parts, supplies and accessories and provides limited repair services that do not involve major mechanical overhauls such as:

1. Minor repairs or part replacements (e.g., tires, batteries, hoses, spark plugs, filters)
2. Routine services like oil changes, tune-ups, brake work, and inspections

Repair facility 1 does not allow major engine or body work, and all repair work must be done indoors.

Repair facility 2 means a facility that in addition to some/all of the services provided by level one repair facilities, provides repair and replacement services on drive trains for motor vehicles, powered watercraft and motorized equipment. This may include, but is not limited to, engine, transmission, and differential repairs, overhauls and replacement. Sales of motor fuels are prohibited. Sales of lubricants are permitted only to the extent required to complete repairs. a facility that provides all services in Repair 1 including major repairs such as:

1. Engine and transmission work
2. Air conditioning system reconditioning
3. Collision Services (body, frame, or fender straightening or repair)
4. Customizing and painting
5. Wrecker Services

These types of uses may require more strict zoning regulations due to noise, environmental impact, vehicle storage, and the use of outdoor work areas.

Resort Marinas Facility that offers safe place to dock, coverage from the elements and possible recreational amenities such as swimming pools, fitness centers, and lounges.

Residential occupancy- No change

Resort complex- No change

Restaurants and bars- No change

Restaurants and other food service facilities that comply with this chapter Food and Beverage Business that prepares, sells, or serves food products to the public. Examples might be cafes, food trucks, bakeries, or other establishments where food is the primary focus.

RV or recreational vehicle- No change

RV, Boat, and Trailer Storage Facility used for parking and storage of trailers, motor vehicles and recreational vehicles. Texas Administrative Code, Title 34, Part 1, Rule §3.294 (Real Property Rental and Lease)

RV, watercraft and trailer storage (commercial) No change

Laundromat Facility where customers can wash and dry their clothes themselves without professional help.

School, Private (primary or secondary) An educational institution that is independently funded and operated

School, Public Schools A public school is an educational institution that is funded and operated by government agencies, typically at the local, state, or federal level. Tuition-free for students residing within the designated school district or jurisdiction. Open to all students, regardless of background, income, or academic ability. Required to follow state-mandated curriculum standards, assessments, and regulations. Staffed by certified educators and subject to oversight by public education authorities.

Shopping Centers A group of retail stores and related commercial establishments that are planned, developed, and managed as a single property. These centers are designed to provide convenient access to a variety of goods and services for consumers in one location.

Short term rental or vacation home rental means a licensed residential dwelling unit (as defined in this section) intended for permanent occupancy or any portion of a dwelling unit that is occupied for transient short-term use by any person other than the primary owner for any form of compensation and for a period of not less than one day, nor more than 30 consecutive days, and that has registered this use with the City in accordance with the City's ordinances. A short-term rental does not include a hotel or motel.

Signs- means any device or surface on which letters illustrations, designs, figures or symbols are painted, printed, stamped, raised, projected or in any manner outlined or attached and used for advertising purposes. Refer to Section 40.24

Site plan means a plan for a development, other than a subdivision construction plan, submitted by an applicant to demonstrate that the development complies with the requirements of this Chapter such as building layout, parking, drives, landscaping, screening, and other site improvements. For the purposes of the recreational vehicle section of this Ordinance, a site plan requires a sketch or drawing depicting the proposed location of the recreational vehicle on the property the recreational vehicle will be placed, including fence lines of the property, structures on the property, the approximate size and proposed location of the recreational vehicle on the property, and approximate distances between the proposed location of the recreational vehicle and the fence line and structures on the property.

Street- No change

Structurally altered- No change

Temporary placement of a recreational vehicle- No change

Temporary use of recreational vehicles- No change

Tenant- No change

Tool and Equipment Rental Industry providing machinery, equipment and tools for a limited time to users, mainly general contractors, or individual consumers for personal use.

Vacation home rental means a dwelling unit (as defined in this section) intended for permanent occupancy that is occupied for transient use by any person other than the primary owner for any form of compensation and for a period of less than 27 consecutive days. The term "vacation

home rental” does not include a bed and breakfast permitted and operated in accordance with this chapter.

Veterinarians A licensed medical professional who is trained to diagnose, treat, and prevent diseases and injuries in animals.

Wholesale distributor No Change

Yard No change

Yard, dominant side, No change

Yard, rear, No change

Yard, subordinate side, No change

Sec. 40-7. General compliance for all districts. (Moved from 40-5)

(a)-(b) No Change

(c) Hangars. Personal hangars are buildings or structures, suitable for the primary use of housing, storing, and sheltering an aircraft, and which may be constructed on any lot bordering the Granite Shoals city-owned airstrip, with or without a residential dwelling on the lot.

(d)Fencing.

- a. Permit required. A fence permit is required before the construction of any fence. The permit fee shall be found in the General Fee Schedule for the City of Granite Shoals.
- b. Fence materials. All fences shall be constructed with good quality materials as defined in this Chapter. ~~Subject to the restrictions below, allowable materials are wood, split rails, masonry, rock, stone, chainlink, vinyl and composite materials and/or wrought iron.~~
 - i. ~~Chainlink fences are required to have a top rail, bottom guide wire and traditional chainlink fence hardware.~~
 - ii. Cinder block or Concrete Masonry Units (CMUs) that have the appearance of cinder blocks shall not be considered a masonry product unless treated with mortar, plaster, or other method that completely conceals the block’s texture and the outline of the blocks (e.g. creating an adobe-like or rock appearance). Decorative CMU’s that mimic rock, stone, or other masonry are permitted.
 - iii. ~~Except as provided in subsection (p)(2)d or f,~~ Agriculture fence materials such as T-Post, rolled wire fence, stranded wire, barbed wire, cow panel, corral panel, and all other types of agriculture fencing shall not be allowed in any residential district. Sheet metal of any kind is not permitted.
 - iv. Sheets of galvanized welded wire panels of 20 feet or less, framed in wood, metal or masonry are allowed.
 - v. Wood restrictions.

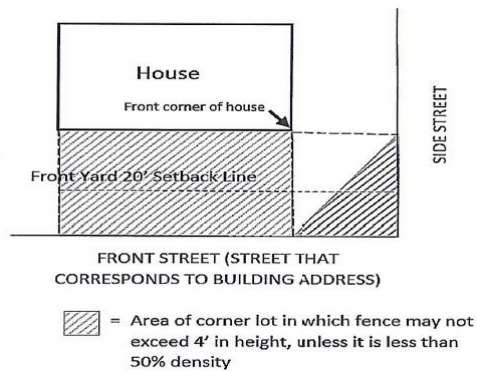
1. Dimensioned or milled lumber is permitted.
2. All wood products shall be from a decay-resistant species of wood or treated with the necessary chemicals or coatings to prevent decay.
3. Solid sheet lumber or siding panels are not permitted.
4. Creosote or similarly-treated wood products such as utility poles and railroad ties are not permitted.
5. Wood lattice is permitted if framed in wood, metal, or masonry.
6. Natural, nonmilled timber or post (hereafter referred to as “timbers”) may be used, provided:
 - i Each like-member of the fence (posts, rails, pickets or panels, etc.) shall be constructed from timber of the same nominal dimensions.
 - ii Repeating gaps or open spaces in the fence design shall be of the same nominal dimension and shall be spaced at regular intervals.
 - iii Variations in timber length are permitted to achieve a repeating scalloped, peaked, or arched appearance with a maximum height that is consistent with subsection (3), below.
 - iv Timbers shall be affixed to one another or to other fencing materials using modern hardware. “Lashing” with rope or wire is not a permitted method of attachment.
 - v Exposed ends of all timbers shall have a clean cut and shall not appear to be broken or splintered.
 - vi A fence constructed in whole or in part out of timbers shall have a finished and clean appearance similar to a fence of the same design and constructed of dimensioned lumber.
- vi. A wooden fence may be braced by concealed metal posts, including metal pipe, provided that the pipe is not visible from the side of the fence that faces the nearest property line. Pipe used as wooden fence bracing must be of good quality and can be new or used, provided that any nongalvanized pipe must be painted.

(c) Fence height and location.

- a. Fences may be located on the inside of the property line.
- b. Except as provided in subsections (c) and (d), below, fencing shall not exceed six (6) feet in height from the normal grade elevation.

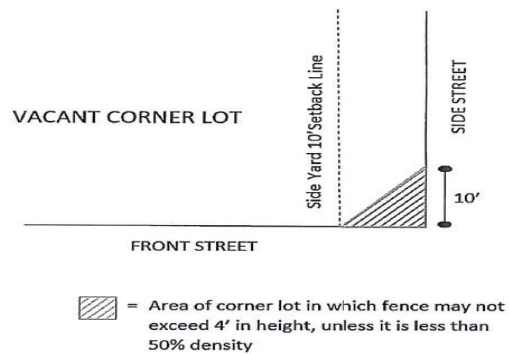
- c. Corner lots (with house). For corner lots on which a house is located, the side of the lot that faces the street that corresponds to the building's street address shall be considered the front yard, and the side of the lot that faces the side street shall be considered the side yard.
 - i. No portion of a fence located on a corner lot within the front yard 20 foot setback may exceed 4 feet in height, unless it is less than 50% density.
 - ii. The remainder of the yard on a corner lot with a house may be fenced in the same manner as any other side yard adjacent to a street; provided, however, that the fence must have a corner clip on an angle beginning in the front yard at the intersection of the front street right-of-way and a line projecting perpendicular to the front street from the front corner of the house, and ending in the side yard at the intersection of the side street right-of-way and a line projecting perpendicular to the side street from the front corner of the house. See figure 1:

Figure 1.



- d. Corner lots (vacant). For corner lots on which no house is located, the yard may be fenced in the same manner as any other side yard adjacent to a street; provided, however, that the fence must have a corner clip on an angle beginning at the intersection of the ten (10) foot side yard setback with the lot line, and ending at a point on the street right-of-way located a minimum of ten (10) feet from the lot line. See figure 2:

Figure 2.



- e. No portion of a fence traversing the front facade of a house, whether in the setback or not, may exceed 4 feet in height, unless it is less than 50% density.
- f. Lights, capitals, finials, caps, or other adornments to the tops of any posts, pillars, or columns, shall not exceed allowed fence heights by greater than 12 inches (one foot). Such adornments may not be connected to one another by any means above the fence height restriction

(e) Interior fencing. Specific to vegetation, dog runs, gardens, trees

- a. Interior fencing not to exceed 6 feet in height is allowed for the purpose of aiding or protecting the growth of plants or trees, gardens, or to be used for dog runs or enclosures.

- ~~a. Nonapplicability, alternate requirements: The above provisions shall not apply to:~~
- ~~1. Temporary enclosures erected for the purpose of protecting or aiding the growth of a single plant or tree.~~
 - ~~2. Dog runs that comply with the requirements of Chapter 4 of the City Code of Ordinances.~~
 - ~~3. No perimeter enclosures providing for a garden or any other purpose, excluding subsections (4)a.1 and (4)a.2 above, are further regulated as follows:~~
 - ~~i. Permit is required.~~
 - ~~a. Fencing to be constructed to a height of six feet (6') or less will require a permit with no fee requirement.~~
 - ~~b. Fencing to be constructed to a height greater than six feet (6') shall require a permit with a fee requirement.~~
 - ~~ii. Interior fences may not be located in the front or adjacent yard front setback.~~
 - ~~iii. Interior fences may only be located on a lot or adjacent lots on which the permit applicant resides.~~
 - ~~iv. Interior fences shall not be located nearer than 20 feet to the property line adjacent to any public right of way unless the interior fence is obscured on the permitting property from a viewer, for example by a privacy fence, on that public way.~~
 - ~~v. The interior fence height may not exceed 8 feet.~~
 - ~~vi. Posts shall be set and maintained as near to vertical as is possible. T posts and un-milled cedar posts are allowed.~~
 - ~~vii. Rolled wire fencing allowed shall employ top and bottom tension wires or boards to prevent sagging and curling. Other agricultural items listed in subsection (2)c above are prohibited. Galvanized welded wire panels per subsection (2)d are permitted.~~

- (f) Easements. No structure, or portion thereof, including sidewalk/flatwork, may encroach on any easement.
- (g) House addresses. The primary dwelling at each address shall display that address so as to be readable from the street.
 - b. Numbers shall be legible and contrasting from the color of the structure. Numbers shall be at least four inches in height if the residence is 100 feet or less from the roadway, and six inches in height if the residence is 100 feet or more from the roadway.
 - c. If a residence is situated such that the residence is either obstructed by natural vegetation or set off the roadway at a distance which prohibits the numbers from being viewed from the roadway, then a minimum of four-inch numbers shall be affixed to either a permanent ground-mounted mailbox situated directly in front of the residence, and if the mailbox is situated in such a manner it is not located directly in front of the residence, then an address placard, mounted onto a pole at least three feet above the level of the ground, mounted directly in front of the residence, shall be erected.
- (h) Drainage.
 - a. For new construction or lots that have been substantially improved in a manner that will affect the current drainage patterns on the property, if city staff determines that civil engineering services are necessary, the lot owner shall pay all engineering fees related to the routing of stormwater drainage. A property owner who plans to build a structure over a culvert or natural drainage shall have the design approved by city staff. A stamp from a civil engineer shall be required before a building permit is granted. Additional drainage requirements as described in Code of Ordinances Chapter 32 may apply.
 - b. Any and all existing lots having natural drainage on or across them shall be evaluated by city staff.

Sec. 40-8 Establishment of zoning districts and boundaries, and governing building codes. (Moved from 40-4)

Sec. 40-9 General Compliance for General Business 1 (GB-1), General Business II (GB-2) and Industrial Districts (I) (Moved from 40-3)

(a) 1-5- No change

(6) a.-h. No change

i. Outside storage and trash receptacles shall be enclosed from view of the general public by a solid fence constructed of either masonry or wood. The fence shall be a minimum of six feet tall. Where an industrial (I) use property abuts a residential use a solid fence with a minimum height of eight feet shall be provided along the entire common boundary. No outside storage or trash receptacle shall be higher than the height of screening. All screening shall be maintained in a safe and sightly condition at all times. All GB-1, GB-2 or I district trash dumpsters shall be serviced from owner's property.

(7) No change

(8) No change

(b)-(c) No change

Sec. 40-10 Single-family residential district, R-1 (Moved from 40-6)

(a) Permitted uses. In Single-Family Residential District, R-1, no building or land shall be used, and no building shall hereafter be erected or structurally altered, unless otherwise provided for in this chapter, except for one or more of the following uses:

(1) Single-family dwellings.

a. Site-built home constructed entirely on property, complies with local building codes, and is not manufactured housing.

(2) Texas Industrialized Housing

a. Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for Burnet County.

b. Have exterior siding, roofing, roof pitch, foundation fascia and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located.

c. Comply with city building setbacks, side and rear yard offsets, subdivision control, square footage and other site requirements applicable to single-family dwellings.

d. Be securely fixed to a permanent foundation and installed in accordance to the manufacturers' specifications. If the typical manufacturer's foundation is not approved by local authority, a licensed state professional engineer shall design a foundation for this unique home and site.

(3)-(6) No change

(b)-(e) No change

(f) Garages, accessory structures, and accessory buildings. Garages and accessory buildings shall be of similar appearance in design to the main dwelling; which may be achieved with materials, color, pitch, roofline, trim or other architectural features, and must be constructed of a material approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building. ~~There is no square footage limitation on the total area of an approved garage. An single accessory building including a garage shall not exceed 3000 square feet and an accessory structure shall not exceed 500 square feet. and no~~ No more than two accessory buildings or accessory structures, exclusive of one garage, are allowed on a single lot.

(1) All property except waterfront property. All garages, accessory structures, and accessory buildings are allowed on the lot adjacent or contiguous to or on the lot on

which the primary residence is located. If not platted together as one lot, any such adjacent or contiguous lot on which a garage, accessory structure, or accessory building is located must be tied with an affidavit filed with the City Secretary to the lot upon which the primary dwelling is located.

(2) Waterfront property. For waterfront lots, the garage, accessory structure, or accessory building may be ~~permitted to be built after January 1, 2016,~~ located on a lot that is directly across the street from the lot upon which the primary dwelling is located or on a lot that is adjacent to either side, ~~but not the rear,~~ of the lot directly across the street from the lot upon which the primary dwelling is located. Any such lot on which a garage, accessory structure, or accessory building is located must be tied with an affidavit filed at in the Burnet County with the City Secretary to the lot upon which the primary dwelling is located. Off-site accessory buildings or accessory structures must be on the same street as the lot upon which the primary dwelling is located or on an intersecting street.

(g) Carports and recreational vehicle (RV) covers. A carport or RV cover is a site-built structure with at least two open sides, similar in color and design to the main dwelling and adjacent to the main dwelling. A property owner may construct a carport or RV cover on a lot where the main dwelling is located or on a lot adjacent or connected to the lot containing the main dwelling. Carports must be constructed of a material approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building.

(h) Residential accessory buildings and accessory structures. Accessory buildings and accessory structures shall be located on the rear half of the lot and shall be located a minimum of five feet from the main building, and shall comply with the side and side street and rear yard requirements. An accessory building or structure may not be placed on a lot without a primary residence unless as specified in Section 40-10(f).

(i) Hangars. Personal hangars are buildings or structures, suitable for the primary use of housing, storing, and sheltering an aircraft, and which may be constructed on any lot bordering the Granite Shoals city-owned airstrip, with or without a residential dwelling on the lot.

~~(j) Home-based business. A Home-based business is an office in a residential dwelling that occupies no more than 25 percent of the total floor area of that dwelling. It is operated by one or more of the residents of that particular dwelling and employs no more than two nonresidents.~~

~~i. The home-based business is conducted entirely within a dwelling which is the bona fide residence of the practitioner or within an accessory building located on the same property as the dwelling (not to include a driveway, yard or outside area).~~

~~j. The residential character of the lot and dwelling shall be maintained. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to require compliance with nonresidential construction codes to accommodate the home business. No outdoor storage of material related to the home-based business shall be permitted.~~

- ~~k. No equipment or materials associated with the home business shall be displayed or stored where visible from anywhere off the premises.~~
- ~~l. The business shall emit no external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference or waste runoff outside the dwelling unit or on the property surrounding the dwelling.~~
- ~~m. Outside signs shall be regulated by the city sign ordinance.~~
- ~~n. Child day care as a home based business shall only be permitted on presentation to the city manager or city manager's designee of valid permits and licenses as required by the state, and shall be limited to no more than six children other than children living with and related to the applicant, and shall be limited to 12 consecutive hours per 24-hour period.~~
- ~~o. Parking and vehicular traffic shall remain reasonable within the neighborhood of the homebased business. No more than two vehicles related to the home-based business may be visible from anywhere off premises.~~
- ~~p. The following businesses or occupations shall not be allowed in residential neighborhoods as home-based businesses, including but not limited to: Animal hospitals, animal breeding, clinics, hospitals, contractor's yards, dancing schools, junkyards, restaurants, rental outlets, vehicle repair shops or massage parlors. The decision of this city to recognize the importance and validity of home-based businesses in no way should be construed to open the way for a variety of borderline businesses to function in residential areas. The city manager or city manager's designee should be contacted with any concerns about a business. If necessary the concerns regarding the business must be presented to the planning and zoning commission and then to city council for resolution before the home based business can begin operation.~~

(j)-(n)- No change

(o) Minimum dwelling requirements.

(1) Texas Industrialized housing must:

- ~~i. Have a value equal to or greater than the median taxable value for each single family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for Burnet County.~~
- ~~ii. Have exterior siding, roofing, roof pitch, foundation fascia and fenestration compatible with the single family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located.~~
- ~~iii. Comply with city building setbacks, side and rear yard offsets, subdivision control, square footage and other site requirements applicable to single-family dwellings.~~
- ~~iv. Be securely fixed to a permanent foundation and installed in accordance to the manufacturers' specifications. If the typical manufacturer's foundation~~

is not approved by local authority, a licensed state professional engineer shall design a foundation for this unique home and site.

(2)-(3) No change

(p) Fencing:

a. ~~Permit required.~~ A fence permit is required before the construction of any fence. The permit fee shall be found in the General Fee Schedule for the City of Granite Shoals.

b. ~~Fence materials.~~ All fences shall be constructed with good quality materials. Subject to the restrictions below, allowable materials are wood, split rails, masonry, rock, stone, chainlink, vinyl and composite materials and/or wrought iron.

v. ~~Chainlink fences are required to have a top rail, bottom guide wire and traditional chainlink fence hardware.~~

vi. ~~Cinder block or Concrete Masonry Units (CMUs) that have the appearance of cinder blocks shall not be considered a masonry product unless treated with mortar, plaster, or other method that completely conceals the block's texture and the outline of the blocks (e.g. creating an adobe like or rock appearance). Decorative CMU's that mimic rock, stone, or other masonry are permitted.~~

vii. ~~Except as provided in subsection (p)(2)d or f, agriculture fence materials such as T Post, rolled wire fence, stranded wire, barbed wire, cow panel, corral panel, and all other types of agriculture fencing shall not be allowed in any residential district. Sheet metal of any kind is not permitted.~~

viii. ~~Sheets of galvanized welded wire panels of 20 feet or less, framed in wood, metal or masonry are allowed.~~

ix. Wood restrictions:

1. ~~Dimensioned or milled lumber is permitted.~~

2. ~~All wood products shall be from a decay resistant species of wood or treated with the necessary chemicals or coatings to prevent decay.~~

3. ~~Solid sheet lumber or siding panels are not permitted.~~

4. ~~Creosote or similarly treated wood products such as utility poles and railroad ties are not permitted.~~

5. ~~Wood lattice is permitted if framed in wood, metal, or masonry.~~

6. ~~Natural, nonmilled timber or post (hereafter referred to as "timbers") may be used;~~

~~provided:~~

2. ~~Each like member of the fence (posts, rails, pickets or panels, etc.) shall be constructed from timber of the same nominal dimensions.~~

3. ~~Repeating gaps or open spaces in the fence design shall be of the same nominal dimension and shall be spaced at regular intervals.~~
4. ~~Variations in timber length are permitted to achieve a repeating scalloped, peaked, or arched appearance with a maximum height that is consistent with subsection (3), below.~~
5. ~~Timbers shall be affixed to one another or to other fencing materials using modern hardware. "Lashing" with rope or wire is not a permitted method of attachment.~~
6. ~~Exposed ends of all timbers shall have a clean cut and shall not appear to be broken or splintered.~~
7. ~~A fence constructed in whole or in part out of timbers shall have a finished and clean appearance similar to a fence of the same design and constructed of dimensioned lumber.~~

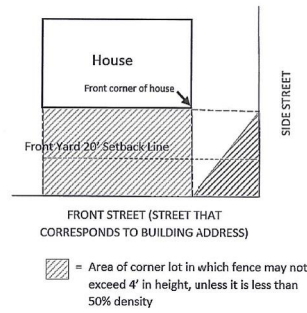
~~f. A wooden fence may be braced by concealed metal posts, including metal pipe, provided that the pipe is not visible from the side of the fence that faces the nearest property line. Pipe used as wooden fence bracing must be of good quality and can be new or used, provided that any nongalvanized pipe must be painted.~~

~~—(3) Fence height and location:~~

- ~~g. Fences may be located on the property line.~~
- ~~h. Except as provided in subsections (c) and (d), below, fencing shall not exceed six (6) feet in height from the normal grade elevation.~~
- ~~i. Corner lots (with house). For corner lots on which a house is located, the side of the lot that faces the street that corresponds to the building's street address shall be considered the front yard, and the side of the lot that faces the side street shall be considered the side yard.

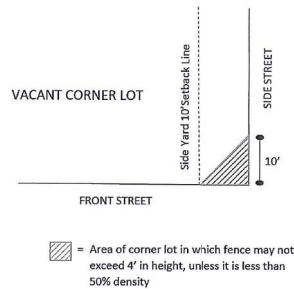
 - ~~i. No portion of a fence located on a corner lot within the front yard 20-foot setback may exceed 4 feet in height, unless it is less than 50% density.~~
 - ~~ii. The remainder of the yard on a corner lot with a house may be fenced in the same manner as any other side yard adjacent to a street; provided, however, that the fence must have a corner clip on an angle beginning in the front yard at the intersection of the front street right-of-way and a line projecting perpendicular to the front street from the front corner of the house, and ending in the side yard at the intersection of the side street right-of-way and a line projecting perpendicular to the side street from the front corner of the house. See figure 1:~~~~

Figure 1.



- j. ~~Corner lots (vacant). For corner lots on which no house is located, the yard may be fenced in the same manner as any other side yard adjacent to a street; provided, however, that the fence must have a corner clip on an angle beginning at the intersection of the ten (10) foot side yard setback with the lot line, and ending at a point on the street right of way located a minimum of ten (10) feet from the lot line. See figure 2:~~

Figure 2.



- k. ~~No portion of a fence traversing the front facade of a house, whether in the setback or not, may exceed 4 feet in height, unless it is less than 50% density.~~
- l. ~~Lights, capitals, finials, caps, or other adornments to the tops of any posts, pillars, or columns, shall not exceed allowed fence heights by greater than 12 inches (one foot). Such adornments may not be connected to one another by any means above the fence height restriction~~

~~(4) Interior fencing.~~

- ~~a. Nonapplicability, alternate requirements: The above provisions shall not apply to:~~
- ~~4. Temporary enclosures erected for the purpose of protecting or aiding the growth of a single plant or tree.~~
 - ~~5. Dog runs that comply with the requirements of Chapter 4 of the City Code of Ordinances.~~
 - ~~6. No perimeter enclosures providing for a garden or any other purpose, excluding subsections (4)a.1 and (4)a.2 above, are further regulated as follows:~~
 - ~~i. Permit is required.~~

- a. ~~Fencing to be constructed to a height of six feet (6') or less will require a permit with no fee requirement.~~
- b. ~~Fencing to be constructed to a height greater than six feet (6') shall require a permit with a fee requirement.~~
- ii. ~~Interior fences may not be located in the front or adjacent yard front setback.~~
- iii. ~~Interior fences may only be located on a lot or adjacent lots on which the permit applicant resides.~~
- iv. ~~Interior fences shall not be located nearer than 20 feet to the property line adjacent to any public right-of-way unless the interior fence is obscured on the permitting property from a viewer, for example by a privacy fence, on that public way.~~
- v. ~~The interior fence height may not exceed 8 feet.~~
- vi. ~~Posts shall be set and maintained as near to vertical as is possible. T-posts and un-milled cedar posts are allowed.~~
- vii. ~~Rolled wire fencing allowed shall employ top and bottom tension wires or boards to prevent sagging and curling. Other agricultural items listed in subsection (2)c above are prohibited. Galvanized welded wire panels per subsection (2)d are permitted.~~

(g) Easements. ~~No structure, or portion thereof, including sidewalk/flatwork, may encroach on any easement.~~

(i) No Change

Sec. 40-11 (Reserved)

Sec. 40-12 Multifamily residential district, R-2 (Moved from 40-8)

(a) 1-15- No Change

(16) An approved private detached garage, or an approved single accessory building, including a garage, not to exceed 700 square feet, and a single accessory structure, not to exceed 500 square feet, may be constructed or moved onto:

- a. The lot where the existing primary residence is located.
- b. Any lot on the same subdivision and section which is owned by the same person who owns the lot where the primary dwelling is located.

The use described in subsection (a)(16) a or b of this section is hereby approved without the necessity of obtaining a replat. If the property owner wishes to construct a garage or an accessory building in excess of 700 square feet, or an accessory structure in excess of 500 square feet, the property owner may apply for a variance. specific use permit. Such permit may be reviewed by the planning and zoning commission, and approved or denied by the city

council, if it determines that the structure as designed is appropriate for the area, taking into account, the materials used, the effect on adjacent property, the site plan, the ability to convert the property into residential use, the ability to use the property for commercial purposes, and other relevant factors as determined by the city council.

~~(17) Home-based business. An office in a residential dwelling that occupies more than 25 percent, but not more than 35 percent of the total floor area of that dwelling. It is operated by one or more of the residents of that particular dwelling, employing no more than two nonresidents.~~

~~a. The home-based business is conducted entirely within a dwelling unit which is the bona fide residence of the practitioner or within an accessory building (not to include a driveway, yard or outside area).~~

~~b. The residential character of the lot and dwelling shall be maintained. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to require compliance with nonresidential construction codes to accommodate the home occupation. No outdoor storage of material related to the home-based business shall be permitted.~~

~~c. No equipment or materials associated with the home occupation shall be displayed or stored where visible from anywhere off the premises.~~

~~d. The business produces no external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference or waste runoff outside the dwelling unit or on the property surrounding the dwelling unit.~~

~~e. Outside signs shall be regulated by the city sign ordinance.~~

~~f. Child day care as a home based business shall only be permitted on presentation to the building official of valid permits and licenses as required by the state, and shall be limited to no more than six children other than children living with and related to the applicant, and shall be limited to 12 consecutive hours per 24-hour period.~~

~~g. Parking and vehicular traffic shall remain reasonable within the neighborhood of the home-based business. Abuse of this privilege may be appealed through the marshal's department for adjudication. (See section 40-16.)~~

~~The following business or occupations shall not be allowed in residential neighborhoods as home-based businesses, including but not limited to: animal hospitals, animal breeding, clinics, hospitals, contractor's yards, dancing schools, junkyards, restaurants, rental outlets, vehicle repair shops or message parlors. The decision of this city to recognize the importance and validity of home-based businesses in no way should be construed to open the way for a variety of borderline businesses to function in residential areas. The city building official should be contacted with any questions about a business, and if he cannot resolve it, then that business must and shall be petitioned to the city council via the planning and zoning commission before it can go into business.~~

18-No Change

(b)-(d)- No Change

(e) Off-street parking-

~~(1) Permitted residential uses. Off-street parking spaces shall be provided in accordance with the requirements set forth in section 40-16.~~

~~(2) Permitted nonresidential uses. Off-street parking spaces shall be provided in accordance with the requirements set forth in section 40-16.~~

(f)- (g)1-4 No Change ...

~~(5) The primary dwelling at each address shall display that address so as to be readable from the street.~~

(6)-(8) No change

Sec. 40-13 (Reserved)

Sec. 40-14 Mobile home residential district, M-1 (Moved from 40-10)

(a) (1)-(7) No Change

(8) An approved ~~private detached garage, or an approved~~ single accessory building, including a garage, not to exceed 700 square feet, and a single accessory structure, not to exceed 500 square feet, may be constructed or moved onto:

- a. The lot where the existing primary residence is located.
- b. Any lot on the same subdivision and section which is owned by the same person who owns the lot where the primary dwelling is located.

The use described in subsection (a)(8) a or b of this section is hereby approved without the necessity of obtaining a replat. If the property owner wishes to construct a garage or an accessory building in excess of 700 square feet, or an accessory structure in excess of 500 square feet, the property owner may apply for a variance. Such application will be reviewed by the Zoning Board of Adjustment for consideration. ~~and approved or denied by the city council, if it determines that the structure as designed is appropriate for the area, taking into account, the materials used, the effect on adjacent property, the site plan, the ability to convert the property into residential use, the ability to use the property for commercial purposes, and other relevant factors as determined by the city council.~~

~~(9) Home based business. An office in a residential dwelling that occupies more than 25 percent, but not more than 35 percent of the total floor area of that dwelling. It is operated by one or more of the residents of that particular dwelling, employing no more than two nonresidents.~~

~~a. The home based business is conducted entirely within a dwelling unit which is the bona fide residence of the practitioner or within an accessory building located on the same property as the dwelling (not to include a driveway, yard or outside area).~~

~~b. The residential character of the lot and dwelling shall be maintained. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to~~

~~require compliance with nonresidential construction codes to accommodate the home occupation. No outdoor storage of material related to the home-based business shall be permitted.~~

~~e. No equipment or materials associated with the home occupation are displayed or stored where visible from anywhere off-premises.~~

~~d. The business produces no external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference or waste runoff outside the dwelling unit or on the property surrounding the dwelling unit~~

~~e. Outside signs shall be regulated by the city sign ordinance.~~

~~f. Child day care as a home-based business shall only be permitted on presentation to the building official of valid permits and licenses as required by the state, and shall be limited to no more than six children other than children living with and related to the applicant, and shall be limited to 12 consecutive hours per 24-hour period.~~

~~g. Parking and vehicular traffic shall remain reasonable within the neighborhood of the home-based business. Abuse of this privilege may be appealed through the marshal's department for adjudication.~~

~~(10) The following businesses or occupations shall not be allowed in residential neighborhoods as home-based businesses, including but not limited to: animal hospitals, animal breeding, clinics, hospitals, contractor's yards, dancing schools, junkyards, restaurants, rental outlets, vehicle repair shops, or massage parlors.~~

~~(11) The decision of this city to recognize the importance and validity of home-based businesses in no way should be construed to open the way for a variety of borderline businesses to function in residential areas. The city building official should be contacted with any questions about a business, and if he cannot resolve it, then that business must and shall be petitioned to the city council, via the planning and zoning commission before it can go into business.~~

(12-13) No change

(b) 1-5- No change

(c) No change

~~(d) Off street parking. Off street parking spaces shall be provided in accordance with section 40-16.~~

(d) Minimum dwelling requirements. No mobile home having less than 1,000 square feet of living area shall be permitted in the Mobile Home (M-1) District.

(e) 1 No change.

~~(2) Privacy fences and/or obstructing vegetation more than four feet high shall not be placed:~~

~~a. Along a front property line.~~

~~b. Within 20 feet of the corner, on corner lots.~~

~~c. Parallel to private driveway on side lot line that hinders drivers visibility.~~

~~(3) See through chainlink fences shall not be more than four feet high along front lot lines. Deer-proof fences may be erected not higher than eight feet on each side and back lot lines, and five feet on front lot lines.~~

(4)-(7) No change

(f) General requirements.

~~(1) All mobile homes shall be securely tied down, blocked and completely skirted prior to issuance of a certificate of occupancy. 30 days after occupancy. This provision shall have no application to mobile homes for which certificates of occupancy have been issued prior to the effective date of the ordinance from which this chapter is derived.~~

(2) No Change

Sec. 40-15 Mobile home park district, M-2 (Moved from 40-11)

(a) (1)-(2) No change

~~(3) Home-based business. An office in a residential dwelling that occupies more than 25 percent, but not more than 35 percent of the total floor area of that dwelling. It is operated by one or more of the residents of that particular dwelling, employing no more than two nonresidents.~~

~~a. The home-based business is conducted entirely within a dwelling unit which is the bona fide residence of the practitioner or within an accessory building located on the same property as the dwelling (not to include a driveway, yard or outside area).~~

~~b. The residential character of the lot and dwelling shall be maintained. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to require compliance with nonresidential construction codes to accommodate the home occupation. No outdoor storage of material related to the home-based business shall be permitted.~~

~~c. No equipment or materials associated with the home occupation are displayed or stored where visible from anywhere off premises.~~

~~d. The business produces no external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference or waste runoff outside the dwelling unit or on the property surrounding the dwelling unit~~

~~e. Outside signs shall be regulated by the city sign ordinance.~~

~~f. Child day care as a home-based business shall only be permitted on presentation to the building official of valid permits and licenses as required by the state, and shall be limited to no more than six children other than children living with and related to the applicant, and shall be limited to 12 consecutive hours per 24 hour period.~~

~~g. Parking and vehicular traffic shall remain reasonable within the neighborhood of the home-based business. Abuse of this privilege may be appealed through the marshal's department for adjudication.~~

~~The following businesses or occupations shall not be allowed in residential neighborhoods as home based businesses, including but not limited to: animal hospitals, animal breeding, clinics, hospitals, contractor's yards, dancing schools, junkyards, restaurants, rental outlets, vehicle repair shops, or massage parlors. The decision of this city to recognize the importance and validity of home based businesses in no way should be construed to open the way for a variety of borderline businesses to function in residential areas. The city building official should be contacted with any questions about a business, and if he cannot resolve it, then that business must and shall be petitioned to the city council, via the planning and zoning commission before it can go into business.~~

(b)(c) 1-3 No change

(4) Shoreline. Where a lot abuts Lake Lyndon B. Johnson or other waterway designated by the city, the following setback and other requirements in relation to the shoreline shall be used. The shoreline shall usually be the water's edge, under normal conditions, existing as of the date of the requested building permit.

a. No main or accessory building or accessory structure, except as otherwise specified, shall be located closer than 20 feet to the shoreline. In no instance shall the main building extend beyond the original platted lot line.

b. A boat dock or a boat storage building not to exceed 16 feet in height, (as measured from an 825-foot lake level), and no more than 200 square feet of storage area. No boat dock or a boat storage building shall be closer than five feet to any side property line.

(5) An approved single accessory building, including a garage, not to exceed 700 square feet, and a single accessory structure, not to exceed 500 square feet, may be constructed or moved onto:

a. The lot where the existing primary residence is located.

b. Any lot on the same subdivision and section which is owned by the same person who owns the lot where the primary dwelling is located.

The use described in subsection (a)(16) a or b of this section is hereby approved without the necessity of obtaining a replat. If the property owner wishes to construct a garage or an accessory building in excess of 700 square feet, or an accessory structure in excess of 500 square feet, the property owner may apply for a variance.

(d) **No change**

~~(e) Off-street parking. Off-street parking shall be provided in accordance with section 40-16, at least two parking spaces for each mobile home or trailer house.~~

(f) General Requirements

(1) All mobile homes shall be securely tied down, blocked and skirted completely prior to issuance of the Certificate of Occupancy. ~~30 days after occupancy.~~ This provision shall have no application to mobile homes for which certificates of occupancy have been issued prior to the effective date of the ordinance from which this chapter is derived.

(2) All mobile homes in the city shall comply with all regulations of the state.

~~(g) Privacy fence requirement. All property zoned Mobile Home Park District, M-2, which abuts property zoned residential shall have a privacy fence installed and maintained by the mobile home park property owner along said abutting property line.~~

(h) No lighting shall be done in such a manner as to provide a direct glare into an adjoining residence or into a public street that creates a driving hazard. Lighting shall be hooded or shielded. This excludes streetlights.

Sec. 40-16 General Business District One, GB-1. (Moved from 40-12)

(a) (1)-(4) No Change

(b) Permitted uses. In a General Business District One, GB-1, no building or land shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided for in this chapter, except for one or more of the following uses:

(1) Automobile parts and accessory sales.

(2) Bakeries.

(3) ~~Banks.~~ Financial Services

(4) ~~Business or commercial schools.~~ Technical and Vocational Schools

(5) Church, Rectory, Temple, and other similar houses of worship.

(6) ~~Day nursery.~~ Childcare

(7) ~~Drive-in restaurants, bowling alley and other similar places of entertainment.~~ Entertainment and Recreation

(8) ~~Drug store.~~ Pharmacy

(8) ~~Electronic service centers.~~

- (9) Florist shop.
- (10) Furniture store.
- (11) Grocery, Market, and convenience stores.
- ~~(12) Greenhouses and retail nurseries.~~
- (12) Hardware stores.
- ~~(13) Medical outpatient clinics.~~ Medical and Health Services
- (14) Hotels, motels, bed and breakfasts. Hospitality
- ~~(15) Self service laundries.~~ Laundromat
- (16) Nursing homes/Assisted Living
- (17) Office buildings.
- (18) Personal service and neighborhood shops.
- ~~(20) Pharmacies.~~
- (19) Printing and copying services.
- (20) Public utilities.
- ~~(23) Radio and television broadcasting studios.~~
- ~~(24) Recreational vehicle sales.~~
- (21) School, Private (primary or secondary)
- (22) School, Public Schools
- ~~(25) Video rental sales.~~
- (23) Restaurants and other food service facilities that comply with this chapter.
- (24) Alcoholic beverage stores that comply with this chapter.
- (25) Resort marinas that comply with this chapter.
- (26) Veterinarians

Any business not found mentioned in this subsection shall apply for review by the planning and zoning commission via the building official. Any business not listed above, but approved as a business by the city council will be added to the approved list Accessory buildings shall be permitted only in the rear yard except when the lot on which the main building is located

backs up to residential zones, but in no case may any accessory building occupy a public utility easement.

(b-1) Conditional uses. The following uses are permitted in the GB-1 district as conditional uses only if the property owner first obtains a conditional use permit as provided by this chapter:

(1) New construction using new or used on-site storage containers as a building material.

(2) An amusement center, if the following additional conditions are met in addition to the conditions found in the section of this Chapter addressing conditional use permits: section 40-28 of the code:

a. Proximity to other businesses that exhibit coin-operated amusement machines. The minimum distance between a property that receives a conditional use permit under this subsection and any other business that exhibits a coin-operated amusement machine shall be 1,200 feet between property lines.

b. Adequate off-street paved parking and adequate lighting as required by the Code of Ordinances.

(c) **No change**

(d) Yard requirements.

(1) A front yard of not less than ten feet in depth shall be provided. ~~More space may be required under section 40-16, parking.~~

(2) No rear yard shall be required, except when the property abuts, along its rear lot line, property zoned residential. Then a rear yard of not less than ten feet must be provided, and the subject property shall have a privacy fence installed and maintained by the commercial property owner along the rear property line where the abutment exists. In no case shall a building occupy any part of a public utility easement.

(3) Outside storage and trash receptacles shall be enclosed from view of the general public by a solid fence constructed of either masonry or wood. The fence shall be a minimum of six feet tall. Where a light industrial use abuts a residential district, a solid fence with a minimum height of eight feet shall be provided along the entire common boundary of the light industrial use and the residential district. No outside storage or trash receptacle shall be higher than the height of screening.

- All screening shall be maintained in a safe and sightly condition at all times.
- All commercial trash dumpsters shall be serviced from owner's property.
- All nonconforming commercial dumpsters must be in compliance within 90 days after the effective date of the ordinance from which this chapter is derived.

(e) ~~Off street parking. The number of spaces shall not be less than that specified in section 40-16.~~

~~(f) Loading space requirements. Loading space shall conform to the provisions of section 40-16.~~

~~(e) Portable and temporary buildings. Portable and temporary buildings shall be permitted, subject to compliance with all applicable ordinances related thereto; provided that a portable or temporary building of less than 500 square feet shall be allowed only when incidental to the construction of a permanent structure. An approved private detached garage, or an approved single accessory building, including a garage, not to exceed 700 square feet, and a single accessory structure, not to exceed 500 square feet, may be constructed or moved onto:~~

a. The lot where the existing primary residence is located.

b. Any lot on the same subdivision and section which is owned by the same person who owns the lot where the primary dwelling is located.

(f)-(g) No change

Sec. 40-17 General Business District Two, GB-2. (Moved from 40-13)

(a) No Change

(b) Permitted uses. In a General Business District Two, GB-2, all businesses that require state-mandated licenses and inspections (i.e., restaurants, day nurseries, medical clinic, etc.) shall have those permits prior to opening for business and maintain same. All newly constructed businesses and expanded “grandfathered” businesses shall present a prepared site plan to the city building official. No building shall hereafter be erected, or structurally altered, unless otherwise provided for in this chapter, except for one or more of the following uses:

(1) Automobile sales and service.

(2) Automobile parts and accessory sales.

(3) Bakeries.

(4) ~~Banks.~~ Financial Services

(5) ~~Business or commercial schools.~~ Technical and Vocational Schools

(6) Church, Rectory, Temple, and other houses of worship

~~(6) Cleaning and laundry plant.~~

~~(7) Day nursery. Childcare facility~~

~~(8) Drive-in restaurants, bowling alley and other similar places of entertainment. Entertainment and Recreation~~

~~(9) Drugstore. Pharmacy~~

(10) Farm equipment sales and service.

(11) Florist shop.

(12) Fueling Gas station.

(13) Funeral Home

(14) Furniture store.

(15) Grocery, Market and convenience stores.

(16) Greenhouses and retail nurseries.

(17) Hardware stores, including the sale of building materials.

(18) Hospitals

~~—(17) Machine or welding shop.~~

(19) Medical outpatient clinics.

(20) Hotels, motels, bed and breakfast. Hospitality

(21) Self-service laundries. Laundromat

(21) Nursing home/Assisted Living

(22) Office buildings.

(23) Personal service and neighborhood shops.

(24) Pharmacies.

(24) Printing and copying services.

(25) Public utilities.

~~(27) Radio and television broadcasting studios.~~

(26) Repair facility 1.

(27) Repair facility-2

(28) Restaurants. Food and Beverage establishments

(29) Recreational vehicle sales.

(30) RV, boat and trailer storage (commercial).

(31) School, Private (primary or secondary)

(32) School, Public Schools

(33) Shopping Centers

(34) Tool and equipment rental.

(33) Video rental sales.

(35) Veterinarians

Any business not found mentioned in this subsection shall apply for review by the planning and zoning commission via the city building official. Any business not listed in this subsection, but approved as a business by the city council will be added to the approved list.

An accessory building shall be permitted only in the rear yard except when the lot on which the main building is located backs up to residential zones, but in no case may any accessory building occupy a public utility easement.

(b-1) Conditional uses. The following uses are permitted in the GB-1 district as conditional uses only if the property owner first obtains a conditional use permit as provided by this chapter:

(1) New construction using new or used on-site storage containers as a building material.

(2) An amusement center, if the following additional conditions are met in addition to the conditions found in the section of this Chapter addressing conditional use permits:

a. Proximity to other businesses that exhibit coin-operated amusement machines. The minimum distance between a property that receives a conditional use permit under this subsection and any other business that exhibits a coin-operated amusement machine shall be 1,200 feet between property lines.

b. Adequate off-street paved parking and adequate lighting as required by the Code of Ordinances.

(c) No change

(d) No change

(1) A front yard of not less than 25 feet in depth shall be provided. ~~More space may be required under section 40-16, parking.~~

(2) No rear yard shall be required, except when the property abuts, along its rear lot line, property zoned residential. Then a rear yard of not less than ten feet shall be provided, and the subject property shall have a privacy fence installed and maintained by the commercial property owner along the rear property line where the abutment exists. In no case shall a building occupy any part of a public utility easement.

(3) Outside storage and trash receptacles shall be enclosed from view of the general public by a solid fence constructed of either masonry or wood. The fence shall be a

minimum of six feet tall. Where a light industrial use abuts a residential district, a solid fence with a minimum height of eight feet shall be provided along the entire common boundary of the light industrial use and the residential district. No outside storage or trash receptacle shall be higher than the height of screening.

- All screening shall be maintained in a safe and sightly condition at all times.
- All commercial trash dumpsters shall be serviced from owner's property.
- All nonconforming commercial dumpsters must be in compliance within 90 days after the effective date of the ordinance from which this chapter is derived.

(e) Off-street parking.

~~The number of spaces shall not be less than that specified in section 40-16.~~

(f) Loading space requirements. Loading space shall conform to the provisions of section 40-16.

~~(e) Portable and temporary buildings. Portable and temporary buildings shall be permitted, subject to compliance with all applicable ordinances related thereto. A portable or temporary building of less than 500 square feet shall be allowed only when incidental to the construction of a permanent structure, and shall be removed when the permanent structure is completed. An approved private detached garage, or an approved single accessory building, including a garage, not to exceed 700 square feet, and a single accessory structure, not to exceed 500 square feet, may be constructed or moved onto:~~

- a. The lot where the existing primary residence is located.
- b. Any lot on the same subdivision and section which is owned by the same person who owns the lot where the primary dwelling is located.

(f) No change

(g) No change

Sec. 40-18 Industrial District, I. (Moved from 40-14)

(a) No change

(b) Permitted uses. Within the Industrial District, I, no building, structure, or land shall be used for any purpose other than the following:

(1) Light manufacturing, fabrication, assembly or processing of goods or materials, products or equipment.

(2) Public buildings and facilities.

(3) Public utilities.

(4) Repair, servicing, painting, packaging or cleaning of goods, materials, products, or equipment.

(5) Research, development and testing activities.

(6) Warehousing and distributing operations.

(7) Contractor's yard.

(8) Swimming pool sales and service.

(9) Machinery, heavy equipment or truck sales and service.

(10) Commercial cleaning and laundry.

(11) Wholesale distributor.

(12) Repair facility 2.

(13) Cleaning and laundry plant

(14) ~~Machine or welding shop~~ – Machine or Fabrication

(15) Other uses similar to the stated permitted uses, consistent with the purpose and intent of the district and in compliance with the performance standards for this district.

(c)-(e) No change

Sec. 40-19 Agricultural District, AG. (Moved from 40-15)

(a)-(b) No change

Sec. 40-20 Off-street parking and loading space requirements.

(a)-(1)-(a)-(L) No change

m. Roominghouse or boardinghouse. One parking space for each two sleeping rooms.

(n-s) - No change

(2)-(4) - No change

Sec. 40-21 Height and area regulations generally. (Moved from 40-17)

(a)-(c) No change

Sec. 40-22 Nonconforming buildings and uses. (Moved from 40-18)

(a)-(e) No change

Sec. 40-23 (Reserved)

Sec. 40-24 Signs.

(a)-(i)- No change

Sec. 40-25 Boat docks.

(a)-(e)- No change

(f) Private facilities. No private pier, boat docks, ramps, slip, accessory building or accessory structure within ten feet of the shoreline, or other structure will have any type of living facilities, kitchen, toilets or urinals, except if a special permit is approved by the city council.

(g)-(n) No change

Sec. 40-26 ~~Short term rentals (STR).~~

~~(a) Agent. For the purposes of this subsection, an agent of an STR shall have the same responsibilities as an owner of an STR and the same rights as an owner to rent a property as an STR.~~

~~(b) Owner. Owner of an STR shall maintain such premises in compliance with Chapter 8, Article V of this Code. An owner shall not let, rent, or lease an STR for occupancy or use in any manner that does not comply with the provisions of this Code.~~

~~(c) Owner and tenant. Every owner and every tenant of an STR shall maintain the premises in a clean, sanitary, and safe condition, including the disposal of rubbish, garbage, organic and inorganic waste, junk, or other waste in a lawful manner.~~

~~(d) Zoning districts allowed. Short term rentals are allowed in all zoning districts in which residential uses are permitted.~~

~~(e) Registration. The property owner (or their authorized agent) shall register the short term rental by filing a registration form with the city for each property to be used as a short term rental.~~

~~(1) The registration form shall contain the following information:~~

~~(A) Full disclosure of the complete ownership of the property.~~

~~(B) Address, legal description, and number of bedrooms of the property.~~

~~(C) Contact information, including name, address, and phone number(s) of the owner and of any agent or management company authorized by the owner to maintain the STR. This information shall be provided in order of whom should be contacted first, and shall indicate which individual on the contact list should be able to respond onsite to the subject property within 30 minutes of notification by a law enforcement authority or an official representative of the City.~~

~~(D) Any additional information that may be requested by the city that is necessary to make an informed decision regarding the application.~~

~~(E) A copy of the information that must be provided to each STR renter pursuant to subsection (o) of this Ordinance.~~

~~(F) Proof of property insurance with the “short term rental use” clearly identified that, at a minimum, is sufficient for personal injury liability of guests.~~

~~(2) Registration Period. Approved registrations are valid for a period of one year from date of approval.~~

~~(3) Registration fee. A registration fee is required at the time of the filing of a registration form and at each annual renewal. The fee will be listed in Appendix B of this Code, Schedule of Fees and Charges. To be eligible for renewal, the applicant must provide continuous proof of reporting/payment of the city hotel occupancy tax for the prior year for the dates the property has been rented.~~

~~(4) Denial of registration. A registration that is denied will result in a full refund of the corresponding registration fee. The city may deny registration if:~~

~~(A) It appears that the documents submitted by the owner or authorized agent are incomplete, not valid, or that the documents produced do not show the existence of the short term rental use in accordance with this section;~~

~~(B) Valid and unresolved nuisance complaint(s) have been filed with the city about the subject property;~~

~~(C) The subject property does not comply with all applicable local and state health, fire, and LCRA regulations, statutes, or ordinances; or~~

~~(D) An applicant seeking renewal fails to provide continuous proof of reporting/payment of the city hotel occupancy tax for the prior year.~~

~~(5) Revocation. The city may, in writing, suspend or revoke a registration issued under the provisions of this section when it is determined that:~~

~~(A) The registration was issued in error or on the basis of incorrect information supplied;~~

~~(B) The circumstances described in subsection(s) have occurred;~~

~~(C) The short term rental use produces a nuisance as defined in the city’s Code of Ordinances or otherwise results in a violation of any ordinance of the city or applicable regulation; or~~

~~(D) The building or structure, or portion thereof, is in violation of applicable local and state health, fire, or LCRA regulations, statutes, or ordinances.~~

~~(6) Transferability. Registration of a short term rental does not transfer from one property owner to another.~~

~~(f) [Reserved.]~~

~~(g) Fire Inspections. The City has adopted the International Fire Code. Annual inspections may be conducted by the City to ensure that an STR property meets the current International Fire Code. Inspections will include verifying working smoke detectors and fire extinguishers.~~

~~(h) Occupancy Limits. Overnight guest occupancy may not exceed two (2) persons per bed, including temporary beds such as roll away beds or pull-out couches, plus an additional two persons, not including infant sleeping accommodations.~~

~~(i) Noise. Property shall be subject to Chapter 16, Article II of the City of Granite Shoals Code of Ordinances.~~

~~(j) Parking. Property shall require one off-street parking spot for each bedroom of the STR. No on-street parking is permitted, and no impediment to ingress and egress to surrounding properties is permitted.~~

~~(k) Property exterior. Exterior grounds are to be maintained as specified in Chapter 8, Article V of this Code.~~

~~(l) Pets. To the extent the property owner wishes to allow pets at an STR, the number of pets in an STR is a maximum of five pursuant to the applicable portions of Article IV of this Code, excluding the requirement to register the pet(s) with the City. If a pet is involved in an incident listed in Section 4-7(a)(1) of this Code, the pet owner must be able to show proof of pet's current rabies inoculation. If proof is not provided, Animal Control will take custody of the animal until such time as proof is provided, or the animal is euthanized per Section 4-9 of this Code.~~

~~(m) Signage. No exterior signage is allowed, other than the premises address.~~

~~(n) Trash and Recycling.~~

~~(1) Containers. The number of trash containers required shall be based on the maximum number of overnight occupants permitted on the property. For 1-4 occupants, one container provided by the City's solid waste service provider is required; for 5-8, two containers are required; more than 8 occupants, three containers will be required.~~

~~(2) Owner/agent is responsible for ensuring that trash containers are placed in their pickup position not more than 24 hours prior to pick-up, and returned to a storage location within 24 hours after pickup. Recycle bins are subject to the same requirements.~~

~~(o) Exterior Lighting. No lighting shall be permitted that results in direct or reflected glare into a nearby residence or into a public street that creates a driving hazard. Lighting shall be hooded or shielded. This excludes streetlights.~~

~~(p) Information to be provided to each STR renter by the owner or agent.~~

~~(1) Maximum number of overnight guests permitted.~~

~~(2) Maximum number of parking spaces allocated to the property, and location of offsite parking (including parking for boat trailers), if available.~~

~~(3) 24 hour contact number(s) of owner/agent.~~

~~(4) Telephone number of City Utilities Department, Fire Department, and Police Department.~~

~~(5) Notification of what constitutes trash and what items are recyclable.~~

~~(6) Notification of trash pickup day.~~

~~(7) Notification of recycle pickup day.~~

~~(8) Signage instructing guests that fireworks are prohibited in the City of Granite Shoals, and that violations may result in conviction of a misdemeanor with a penalty not to exceed \$1,000.00 for each offense, with each day of violation constituting a separate offense. Such signage must be placed in a conspicuous location visible to the guest, and must be included in any instructions provided to the guest.~~

~~(9) Other information as may be deemed pertinent by owner/agent or the City.~~

~~(q) The city manager and/or his or her designee may enforce the provisions of this Section.~~

~~(r) Enforcement shall be as specified in Section 8-133 of this Code.~~

~~(s) Penalties. Following the issuance of a citation to an STR tenant of a violation of this Ordinance by the city's enforcement authority, the owner shall be notified of the citation and the following penalties shall apply to the owner:~~

~~(1) First offense in a twelve month period, a warning citation shall be issued to owner.~~

~~(2) Second offense in a twelve month period, a fine of \$100.00 shall be levied on owner.~~

~~(3) Third offense in a twelve month period, a fine of \$250.00 shall be levied on owner.~~

~~(4) Fourth offense in a twelve month period, a fine of \$500.00 shall be levied on owner, and owner's STR registration permit shall be suspended for a period of six (6) months from the date of payment of the fine.~~

~~(5) The owner of an STR is responsible for payment of any citations issued to that owner's tenant if the tenant does not pay the citation within the required timeframe.~~

Sec. 40-26 Planned Development District, PD. (Moved from 40-27)

(a)-(g)- No change

Sec. 40-27 Conditional use permit. (Moved from 40-28)

(a)-(b) No change

Sec. 40-28 Overlay districts.

(a)-(b) No change

Sec. 40-29 Recreational vehicle use.

(a)-(g) No change

Part II (Code of Ordinances), Chapter 10 (Businesses and Business Regulations), is hereby amended as follows:

ARTICLE VIII SHORT TERM RENTALS

Sec. 10-130 Short Term Rentals (STR).

- (a) Agent. For the purposes of this subsection, an agent of an STR shall have the same responsibilities as an owner of an STR and the same rights as an owner to rent a property as an STR.
- (b) Owner. Owner of an STR shall maintain such premises in compliance with Chapter 8, Article V of this Code. An owner shall not let, rent, or lease an STR for occupancy or use in any manner that does not comply with the provisions of this Code.
- (c) Owner and tenant. Every owner and every tenant of an STR shall maintain the premises in a clean, sanitary, and safe condition, including the disposal of rubbish, garbage, organic and inorganic waste, junk, or other waste in a lawful manner.
- (d) Zoning districts allowed. Short term rentals are allowed in all zoning districts in which residential uses are permitted.
- (e) Registration. The property owner (or their authorized agent) shall register the short term rental by filing a registration form with the city for each property to be used as a short term rental.
 - (2) The registration form shall contain the following information:
 - (A) Full disclosure of the complete ownership of the property.
 - (B) Address, legal description, and number of bedrooms of the property.
 - (C) Contact information, including name, address, and phone number(s) of the owner and of any agent or management company authorized by the owner to maintain the STR. This information shall be provided in order of whom should be contacted first, and shall indicate which individual on the contact list should be able to respond onsite to the subject property within 30 minutes of notification by a law enforcement authority or an official representative of the City.

(D) Any additional information that may be requested by the city that is necessary to make an informed decision regarding the application.

(E) A copy of the information that must be provided to each STR renter pursuant to subsection (o) of this Ordinance.

(F) Proof of property insurance with the “short term rental use” clearly identified that, at a minimum, is sufficient for personal injury liability of guests.

(2) Registration Period. Approved registrations are valid for a period of one year from date of approval.

(3) Registration fee. A registration fee is required at the time of the filing of a registration form and at each annual renewal. The fee will be listed in Appendix B of this Code, Schedule of Fees and Charges. To be eligible for renewal, the applicant must provide continuous proof of reporting/payment of the city hotel occupancy tax for the prior year for the dates the property has been rented.

(4) Denial of registration. A registration that is denied will result in a full refund of the corresponding registration fee. The city may deny registration if:

(A) It appears that the documents submitted by the owner or authorized agent are incomplete, not valid, or that the documents produced do not show the existence of the short term rental use in accordance with this section;

(B) Valid and unresolved nuisance complaint(s) have been filed with the city about the subject property;

(C) The subject property does not comply with all applicable local and state health, fire, and LCRA regulations, statutes, or ordinances; or

(D) An applicant seeking renewal fails to provide continuous proof of reporting/payment of the city hotel occupancy tax for the prior year.

(5) Revocation. The city may, in writing, suspend or revoke a registration issued under the provisions of this section when it is determined that:

(A) The registration was issued in error or on the basis of incorrect information supplied,

(B) The circumstances described in subsection(s) have occurred,

(C) The short term rental use produces a nuisance as defined in the city’s Code of Ordinances or otherwise results in a violation of any ordinance of the city or applicable regulation, or

(D) The building or structure, or portion thereof, is in violation of applicable local and state health, fire, or LCRA regulations, statutes, or ordinances.

(6) Transferability. Registration of a short term rental does not transfer from one property owner to another.

(f) [Reserved.]

(g) Fire Inspections. The City has adopted the International Fire Code. Annual inspections may be conducted by the City to ensure that an STR property meets the current International Fire Code. Inspections will include verifying working smoke detectors and fire extinguishers.

(h) Occupancy Limits. Overnight guest occupancy may not exceed two (2) persons per bed, including temporary beds such as roll-away beds or pull-out couches, plus an additional two persons, not including infant sleeping accommodations.

(i) Noise. Property shall be subject to Chapter 16, Article II of the City of Granite Shoals Code of Ordinances.

(j) Parking. Property shall require one off-street parking spot for each bedroom of the STR. No on street parking is permitted, and no impediment to ingress and egress to surrounding properties is permitted.

(k) Property exterior. Exterior grounds are to be maintained as specified in Chapter 8, Article V of this Code.

(l) Pets. To the extent the property owner wishes to allow pets at an STR, the number of pets in an STR is a maximum of five pursuant to the applicable portions of Article IV of this Code, excluding the requirement to register the pet(s) with the City. If a pet is involved in an incident listed in Section 4-7(a)(1) of this Code, the pet owner must be able to show proof of pet's current rabies inoculation. If proof is not provided, Animal Control will take custody of the animal until such time as proof is provided, or the animal is euthanized per Section 4-9 of this Code.

(m) Signage. No exterior signage is allowed, other than the premises address.

(n) Trash and Recycling.

(1) Containers. The number of trash containers required shall be based on the maximum number of overnight occupants permitted on the property. For 1-4 occupants, one container provided by the City's solid waste service provider is required; for 5-8, two containers are required; more than 8 occupants, three containers will be required.

(2) Owner/agent is responsible for ensuring that trash containers are placed in their pickup position not more than 24 hours prior to pick-up, and returned to a storage location within 24 hours after pickup. Recycle bins are subject to the same requirements.

(o) Exterior Lighting. No lighting shall be permitted that results in direct or reflected glare into a nearby residence or into a public street that creates a driving hazard. Lighting shall be hooded or shielded. This excludes streetlights.

(p) Information to be provided to each STR renter by the owner or agent.

(1) Maximum number of overnight guests permitted.

(2) Maximum number of parking spaces allocated to the property, and location of offsite parking (including parking for boat trailers), if available.

(3) 24 hour contact number(s) of owner/agent.

(4) Telephone number of City Utilities Department, Fire Department, and Police Department.

(5) Notification of what constitutes trash and what items are recyclable.

(6) Notification of trash pickup day.

(7) Notification of recycle pickup day.

(8) Signage instructing guests that fireworks are prohibited in the City of Granite Shoals, and that violations may result in conviction of a misdemeanor with a penalty not to exceed \$1,000.00 for each offense, with each day of violation constituting a separate offense. Such signage must be placed in a conspicuous location visible to the guest, and must be included in any instructions provided to the guest.

(9) Other information as may be deemed pertinent by owner/agent or the City.

(q) The city manager and/or his or her designee may enforce the provisions of this Section.

(r) Enforcement shall be as specified in Section 8-133 of this Code.

(s) Penalties. Following the issuance of a citation to an STR tenant of a violation of this Ordinance by the city's enforcement authority, the owner shall be notified of the citation and the following penalties shall apply to the owner:

(1) First offense in a twelve month period, a warning citation shall be issued to owner.

(2) Second offense in a twelve month period, a fine of \$100.00 shall be levied on owner.

(3) Third offense in a twelve month period, a fine of \$250.00 shall be levied on owner.

(4) Fourth offense in a twelve month period, a fine of \$500.00 shall be levied on owner, and owner's STR registration permit shall be suspended for a period of six (6) months from the date of payment of the fine.

(5) The owner of an STR is responsible for payment of any citations issued to that owner's tenant if the tenant does not pay the citation within the required timeframe.

ARTICLE IX HOME-BASED BUSINESSES

Sec. 10-135 Home-Based Businesses

(a) Home-based business. A home-based business is a business that is operated from a residential property by the owner or tenant of the property for the purpose of manufacturing,

providing, or selling a lawful good, or providing a lawful service.

- (1) The home-based business is conducted entirely within a dwelling which is the bona fide residence of the practitioner or within an accessory building located on the same property as the dwelling (not to include a driveway, yard or outside area).
- (2) The residential character of the lot and dwelling shall be maintained. The home-based business must be compatible with the residential use of the property where the business is located, and must be secondary to the use of the property as a residential dwelling. Neither the interior nor the exterior of the dwelling shall be structurally altered so as to require compliance with nonresidential construction codes to accommodate the home business. No outdoor storage of material related to the home-based business shall be permitted.
- (3) All short term rental operations are governed by the City's short term rental ordinance.
- (4) No equipment, or materials associated with the home business shall be displayed or stored where visible from anywhere off the premises.
- (5) The business does not substantially increase noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste runoff outside the home or on the property surrounding the home, or violate any city noise ordinance, regulation, or rule.
- (6) Outside signs shall be regulated by the city sign ordinance.
- (7) A home-based business is prohibited from selling alcohol or illegal drugs, operating as a structured sober living home, or operating a sexually oriented business as defined by Texas Local Government Code Section 243.002.
- (8) The business may not generate on-street parking or a substantial increase in traffic throughout the area.
- (9) A home-based business must be in compliance with federal, state, and local law, including municipal fire and building codes, and all City ordinances related to health and sanitation, transportation or traffic control, solid or hazardous waste, and pollution and noise control.
- (10) . The city manager or city manager's designee should be contacted with any concerns about a business. If necessary, the concerns regarding the business must be presented to the planning and zoning commission and then to city council for resolution before the home based business can begin operation."

SECTION III. SAVINGS CLAUSE

The repeal of any ordinance or part of ordinances effectuated by the enactment of this ordinance shall not be construed as abandoning any action now pending under or by virtue of such ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any ordinances at the time of passage of this ordinance.

SECTION IV. SEVERABILITY CLAUSE.

If any provision, section, sentence, clause or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, the validity of the remaining portions of this ordinance or its application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council of the City of Granite Shoals in adopting, and of the Mayor in

approving this ordinance, that no portion thereof or provision or regulation contained herein shall be come inoperative or fail by reason of any unconstitutionality or invalidity of any portion, provision or regulation.

SECTION V. REPEALER CLAUSE.

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein, provided, however, that all prior ordinance or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

SECTION VI. EFFECTIVE DATE.

This ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

SECTION VII. NOTICE AND MEETING CLAUSE.

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

This ordinance shall become effective upon passage and adoption in accordance with State Law.

Passed and approved this 9th day of December, 2025.

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Ron Munos, Mayor

ATTEST:



Dawn Wright, City Secretary

Approved to Form:



Josh Katz, City Attorney