



City of Granite Shoals  
2221 N. Phillips Ranch Road  
Granite Shoals, TX 78654  
(830) 598-2424 fax (830) 598-6538  
[www.graniteshoals.org](http://www.graniteshoals.org)

**MEETING MINUTES  
FOR A REGULAR MEETING  
OF THE PLANNING AND ZONING COMMISSION  
GRANITE SHOALS CITY HALL, 2<sup>ND</sup> FLOOR COUNCIL CHAMBER  
2221 N. PHILLIPS RANCH ROAD  
GRANITE SHOALS, TX 78654  
TUESDAY, OCTOBER 18, 2016 6:00 P.M.**

Call to Order by Chair Shannon Wilson at 6:00 PM.

Commissioners Present:

Shannon Wilson  
Susie Hardy  
Shawna Williams  
Paul Fletcher  
Steven Dooley

Absent:

Terry Scott  
Claudine Gonzales

Staff present:

Preston Williams, Sr. Code Compliance Officer  
Elaine Simpson, City Secretary - recording ---

*The numbering below tracks that of the agenda, whereas the actual order of consideration may have varied.*

Public comment and announcements / City Staff Announcements/Items of Public Interest

*At this time, any person with business before the Commission not scheduled on the agenda may speak to the Commission. No formal action can be taken on these items at this meeting. No discussion or deliberation can occur. Comments regarding specific agenda items should occur when the item is called. Anyone wishing to speak under this agenda item must complete a Comment Card and submit to the Chair or the Secretary, prior to addressing the Commission.*

- **BBQ for Christmas Outreach** – Saturday, October 22 at Ryders 11AM to 3 PM
- **Early Voting for Nov. 8<sup>th</sup> Elections** – Monday, October 24<sup>th</sup> – Friday, November 4<sup>th</sup>

- **Trunk OR Treat** – Highland Lakes Elementary School – Monday, October 24, 2016 at 6 PM
- **October 28, 2016; Friday** – Public Safety Day at Highland Lakes Elementary School.
- **Fall Festival** – Presented by the Granite Shoals Faith Alliance – **updated location Veterans Park** – October 30, 2016. 1 PM – 5 PM
- **Veterans Celebration** – November 5, 2016; Saturday, Veterans Park at 11:00 AM
- **November 8, 2016 City of Granite Shoals Special Elections** – Election Day polling places will be open 7 AM to 7 PM.

#### City Staff Announcements/Items of Public Interest

There were no citizen comments.

#### APPROVAL OF MINUTES

- 1) Review and consider approval of the minutes from the Planning and Zoning Commission Regular Meeting of September 20, 2016.

Paul Fletcher motioned, and Susie Hardy seconded, to approve the September 20, 2016 P&Z Meeting minutes, as presented. The motion carried unanimously by a 5-0 vote.

#### REGULAR AGENDA ITEMS:

- 2) Review information from City Council related to proposed modification to the Zoning Ordinance, Chapter 40, related to Fencing in residential zones.

*(At their July 19, 2016 meeting, the Planning and Zoning Commissioners made some recommendations to forward to the City Council related to Fencing for the R-1 Single Family Residential District. City Council responded with six items of concern/questions. The Commissioners reviewed the information from Council Members and composed another draft recommendation at their meeting on August 16, 2016. The Commissioners forwarded the September 20<sup>th</sup> version to the City Council and they considered it September 27, 2016. They discussed the following changes to refer back to P&Z:*

- *Maximum height of any residential fence will be 6 feet.*
- *If the set back is 20 feet from the front property line, the fence may have greater than 50 percent density. Any fence less than 20 feet from property line must not be more than 50 percent density*
- *The fence material description was good on September 20<sup>th</sup> version.*
- *Deviation from fencing ordinance should not use a Conditional Use Permit. Council Members did not address their preferences related to variances/exceptions.*
- *Fence permit should be required before construction. Fence permit will be \$50.00.)*

There was a brief discussion that the City Council members had reviewed the recommendations on fencing sent to them at their September 27<sup>th</sup> meeting. The City Council members were adamant that the maximum height of fencing in the residential areas shall not be higher than six feet (6'). The City Council was not amenable to the idea of having a Conditional Use Permit procedure (CUP); so this was removed from consideration. The City

Council was in agreement that a fence permit should be required, in order that the city representatives have an opportunity to discuss requirements with the property owner before they build a fence.

The Commissioners reviewed the motion from September 20, 2016.

*Fencing. Fences may be located directly on the property/lot lines. A fence permit is required before the construction of any fence. The fence permit fee shall be found in the General Fee Schedule in the City Code of Ordinances.*

*As of the date [date of passage of Ordinance]*

*(1) Fence materials. All fences shall be constructed with new and of good quality materials. Allowable materials are ~~milled-wood, split-rails~~, masonry, rock, stone, chain link and/or wrought iron.*

*a. Chain link fences are required to have a top rail, bottom guide wire and traditional chain link fence hardware.*

*b. Cinder block shall not be considered a masonry product.*

*c. Plywood is not an allowable fence material.*

*cd. Except as provided in subsection (p)(1)~~de.~~, agriculture fence materials such as pipe, drill stem, T-Post, rolled wire fence, stranded wire, barbed wire, cow panel, corral panel, ~~non milled cedar posts~~, and all other types of agriculture fencing shall not be allowed in any residential district.*

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

*(2) Fence height.*

*a. Front yard lot line maximum height six feet. Front yard fencing on property line must have no more than 50 percent density. If set back 10' from the front lot line, fence may have greater than 50 percent density (i.e. solid), and may be built to eight feet (8') in height.*

*b. Side yard lot lines may maintain ~~six-eight~~ feet maximum height. On each side for first 10 feet back from the front yard lot line, the fence must be no greater than 50 percent density.*

*c. Rear yard lot line maximum height ~~six-eight~~ feet (8').*

*d. ~~All posts, pillars, columns, arches, decorative tops, lights, and gates shall not exceed allowed fence heights by greater than 12 inches (one foot).~~*

*e.d. For through lots (street to street), each parallel side of the lot facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.*

*f.e For corner lots, each side facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.*

*(3) Deviations from Fencing Regulations: A citizen desiring to secure a fence permit for a fence that deviates in any way from these restrictions, must be granted a Conditional Use Permit from City Council approving the exception(s), before a fence permit may be granted. The fee for a Conditional Use Permit shall be found in the General Fee Schedule of the Granite Shoals City Code of Ordinances.*

The Commissioners determined that they would reduce the recommended maximum height of fences to six feet, per Council guidance. They would also remove the CUP reference.

Susie Hardy motioned, and Paul Fletcher seconded, to forward the recommendation back to the City Council as such:

*Fencing. Fences may be located directly on the property/lot lines. A fence permit is required before the construction of any fence. The fence permit fee shall be found in the General Fee Schedule in the City Code of Ordinances.*

*As of the date      [date of passage of Ordinance]*

*(1) Fence materials. All fences shall be constructed with new and of good quality materials. Allowable materials are wood, masonry, rock, stone, chain link and/or wrought iron.*

*a. Chain link fences are required to have a top rail, bottom guide wire and traditional chain link fence hardware.*

*b. Cinder block shall not be considered a masonry product.*

*c. Plywood is not an allowable fence material.*

*d. Except as provided in subsection (p)(1)e., agriculture fence materials such as pipe, drill stem, 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.*

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

*(2) Fence height.*

*a. Front yard lot line maximum height six feet. Front yard fencing on property line must have no more than 50 percent density. If set back 10' from the front lot line, fence may have greater than 50 percent density (i.e. solid).*

*b. Side yard lot lines may maintain six feet (6') maximum height. On each side for first 10 feet back from the front yard lot line, the fence must be no greater than 50 percent density.*

*c. Rear yard lot line maximum height six feet (6').*

*d. For through lots (street to street), each parallel side of the lot facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.*

*e. For corner lots, each side facing a street shall be subject to the same fence height and setback restrictions that apply to a front yard.*

Motion carried by a vote of 4-1. Ayes: Wilson, Hardy, Williams, and Fletcher.  
Nay: Dooley.

Brittney Dooley was recognized and she noted that the current ordinance still has eight foot fences allowable in Residential 2 district, and that is the request that she brought to the Commissioners several months ago on her petition.

3) Continue to review and discuss the Granite Shoals Zoning Ordinance, as supplemented.

*(The P&Z Commissioners have been reviewing the entire Zoning Ordinance, which is Chapter 40 in the City Code. At their meeting on June 18, 2015, the Commissioners reviewed sections 40.8 through 40.11, at their July 16th meeting they reviewed Section 40.12 General Business District GB-1 through Section 40.14 Industrial District item d. #9. At their August 20, 2015 meeting, the Commissioners resumed reviewing Industrial District and reviewed through 40.17 Height and area restrictions, generally. September 17th, the Commissioners discussed regulations of non-conforming structures, Administration, the Board of Adjustments and also driveways. At their meetings October 15th and November 19th, and January 21th, the Commissioners reviewed parking and Drive-ways section again. February 18th the Commission reviewed the Ordinance related to signs, boat docks and Vacation Home Rentals. On March 17, 2016 the Commissioners reviewed requirements for annual inspection of Vacation Home Rentals. In April, May and June commissioners did not review the Ordinance due to time constraints. During their July meeting, the commissioners proposed that no modifications be Meeting minutes from October 18, 2016, Planning and Zoning (P&Z) Commission Regular meeting*

*recommended to City Council regarding the Planned Development Zoning District. Commissioners requested that city staff prepare an updated version of the proposed 'Zoning Use Summary Table' as composed by City Attorney Brad Young. This Summary Table is designed to be placed at the back of the Zoning Ordinance as an attachment in order to provide more streamlined information about permitted uses. On August 16, 2016 the Commission did not address this agenda item due to time constraints. Tonight, the commissioners will review this Zoning Use Table document, review a 'Red-Line' version of the Zoning Ordinance with proposed modifications to date, and consider possible methods to improve and 'streamline' the Zoning Chapter incorporating 'General Compliance Section for Residential Districts'.)*

The Commissioners had been asked to prepare to review pages 1 -39 of the Red Line version of the Zoning Ordinance (Chapter 40 City Code).

The Commissioners reviewed from page 1 to page 12 of the red-lined version of the Zoning Ordinance. This consisted of the 'Definitions' for Chapter 40. The commissioners requested that the definitions be changed to a uniform format. The term is written in bold print, then the definition is stated, without requirements for full sentences.

The Commissioners agreed to return at the next meeting with their red-line copies, respectively, of Chapter 40.

4) Identify Future Agenda Items.

The commissioners will pick up on reviewing Chapter 40 red-line document at page 12 and will attempt to review through page 39.

5) Adjourn.

With no other items on the agenda, and no objections from the Commissioners, Chair Wilson adjourned the meeting at 7:57 PM.

The next meeting of the P&Z will be held on November 15, 2016.

I, Shannon Wilson Chair of the Planning and Zoning Commission for the City of Granite Shoals, Texas, certify that the attached are true and correct minutes taken from recordings and notes of the Planning and Zoning Commission Regular meeting held on October 18, 2016.

 date 11/15/16

Exhibit 'A' - Redline 10.18.16

"Red-Line" copy

Granite Shoals  
Item # 5  
9-20-16

Working Draft -  
For P&Z Commissioners to proof.

Updated with changes as of June 21, 2016 P&Z meeting

Supplement #3 - City of Granite Shoals, Texas - Zoning Ordinance - City Code

For

Chapter 40 - ZONING<sup>III</sup>

Footnotes:

-- (1) --

Federal law reference—Preservation of local zoning authority concerning wireless telecommunications facilities, 47 USC 322(c)(7); limited federal preemption of state and local zoning laws affecting amateur radio facilities, Memorandum Opinion and Order, PRB-1, 101 FCC 2d 952 (1985) and 47 CFR 97.15(b); Religious Land Use and Institutionalized Persons Act, 42 USC 2000cc et seq.

State Law reference—Municipal zoning authority, V.T.C.A., Local Government Code § 211.001 et seq.; zoning commission, V.T.C.A., Local Government Code § 211.007; comprehensive plan, V.T.C.A., Local Government Code § 213.002; board of adjustment, V.T.C.A., Local Government Code §§ 211.008—211.013; zoning districts, V.T.C.A., Local Government Code § 211.005; regulation of political signs by municipality, V.T.C.A., Local Government Code § 216.903; municipality may regulate parking on private property, V.T.C.A., Local Government Code § 431.001; regulation of amateur radio antennas by municipalities, V.T.C.A., Local Government Code § 250.002; Texas Religious Freedom Act, V.T.C.A., Civil Practice and Remedies Code § 110.001 et seq.

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.

(Ord. No. 409, § III, 8-24-2004)

Sec. 40-2. - Definitions.

- (a) Generally. For the purpose of this chapter, certain terms and words are hereby defined; terms not defined in this section shall be construed in accordance with adopted building codes or customary usage and meaning.
- (b) Specifically. Where necessary for a reasonable construction of this chapter, words used in the present tense shall include the future; the singular number shall include the future; the singular number shall include the plural and the plural the singular. The term "building" shall include the term "structure"; the term "shall" is mandatory and not directive; the term "lot" includes the term "plot."

*Structure*  
 Accessory buildings and uses means a subordinate building or portion of the main building, the use of which is incidental to that of the dominate use of the main building or land, including bona fide servants quarters.

*Accessory structure*  
 Accessory structure means a detached, subordinate structure, the use of which is clearly incidental to the principle structure and use of the land. *(need both?)*

Airport: Granite Shoals municipally owned airport, and the zoning of said airport. See Chapter # 6 Aviation in Granite Shoals City Code of Ordinances.

*don't strike*

Formatted: Font: Bold

Apartment house and apartments means 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.

Bed and breakfast means a family residence where rooms are rented to transient guests on an overnight basis, serving primarily breakfast to those particular guests.

Board means the board of adjustment of the city.

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

Building means any structure built for the support, shelter or enclosure of persons, animals, chattels or moveable property of any kind.

Building area means the total area enclosed by a line formed by the outside surface of all walls at the foundation line.

Building height means the vertical distance from the highest point of the property to the highest point of the structure.

Building line means a line behind which all buildings must be built, such line generally parallel to the front, side or back line. *is*

Building lot means a tract of land which, at the time of filing for a building permit, is intended by its owner or developer to be used, developed or built upon as a unit, under single ownership or control. It shall front upon dedicated streets.

Carport: A carport 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, built for the purpose of providing shade and some shelter for vehicles. 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 main dwelling. No temporary or portable carports are

*2*

permitted. Temporary or portable carports are carports built from a kit. Examples would be: Carolina Carports, Eagle Carports, King Canopy, etc., or carports made from materials similar to the material provided in kits.

City ~~means~~ the City of Granite Shoals, Texas, a home-rule city. *occupied by*

Commercial recreation ~~means~~ buildings designed for, ~~or occupied by~~ bowling alleys, health clubs, swimming pools, ice skating, billiards, indoor and outdoor theaters, and other similar recreational activities operated as a commercial enterprise.

Condominium ~~means~~ a legal arrangement in which a dwelling unit in an apartment building or residential development is individually owned, but in which the common areas are owned, controlled and maintained through an organization of all individual owners.

Contractor ~~means~~ a person that contracts or subcontracts to perform work or provide services or supplies, including but not limited to, general contractor, road contractor, lath, plaster or masonry contractor, plumbing contractor, electrician, and truck hauling.

Contractor's yard ~~means~~ an area and/or building used to store equipment, trucks and motor vehicles, construction supplies, building equipment and raw materials customarily required in the construction trades of a contractor engaged in building or other construction businesses, including but not limited to plumbing, electrical, structural, finish, demolition, transportation, masonry, excavating or other construction work. The term "contractor's yard" may include an office that shares the site. Normal maintenance of equipment is allowed. The definition of a contractor's yard shall not apply to those instances where materials stored are to be used within 180 days for the improvement of a residence or business on the property where it is to be constructed.

Country Club: A country club is a privately owned club, often with a closed membership, that generally offers both a variety of recreational sports and facilities for dining and entertaining. Typical athletic offerings are golf, tennis, and swimming. Not an allowed use by right in any zoning district. This use might be suitable for a Planned Development.

*on internet*

Day nursery ~~means~~ an agency, organization or individual providing daytime care of six or more children not related by blood or marriage to, or not the legal wards or foster children of the attendant adult.

District ~~means~~ a zoning district which is a part of the city, wherein the regulations of this chapter are uniform.

Driveway means a private roadway to a garage, carport, or dwelling, and that is located entirely within the property owner's property.

Driveway approach ~~means~~ that portion of a driveway that extends from the property line to the primary road surface, which should include the approved drainage culvert.

Dwelling ~~means~~ a building or portion thereof, designed and used exclusively for residential occupancy, including single-family, two-family and multifamily dwellings, but

not including hotels, motels, lodging houses, 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.

Eaves, means the projecting lower edges of a roof overhanging the wall of a building. ←

Enclosed storage, means area surrounded by a solid fence or wall to a height of six or more feet which effectively screens the contents from view and protects from the spread of fire and vandalism.

Fences, means barriers of posts, wire, rails, etc., used as a boundary or means of protection or confinement. Fencing may be either perimeter fencing on the property lines, or special purpose enclosures may be built in the interior of the property for specific uses. (See Interior Fence)

Firewall, means a masonry wall, eight inches or more in width, which is continuous from foundation through the roof and is without openings other than fire proof doors.

Fueling 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 be limited to, gasoline, E85 and other ethanol blends, diesel, biodiesel, compressed gases, and other motor fuels. Fueling stations may also sell fuel additives and lubricants, but maintenance/repair services are prohibited.

1211 Garage: A building or indoor space in which to park or keep a motor vehicle, or motor vehicles. This building may be attached or detached from the dwelling. 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. There is no square footage limitation on the total area of an approved garage. See specific zoning district section for allowable locations for waterfront and non-waterfront garages.

Hangar/Hangars for aircraft: A shed or shelter customarily with wide structure used for housing airplanes or airships. Personal hangars may be constructed on any lot bordering the Granite Shoals city-owned airport, with or without a dwelling on the lot.

Hangar House: a home with attached hangar which is built on a lot that borders the Granite Shoals city-owned airport. A Hangar Home must be built to all city codes and conform to all requirements for dwellings in the zoning district in which it is built. A Hangar House may not be a shed, a lean-to, trailer, camper or any other prohibited dwelling.

Hotel, 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.

HUD-Code manufactured home means a structure constructed on or after June 15, 1976, according to the rules of HUD, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 CFR 3282.8(g).

Interior Fencing (aka Interior Enclosures) – A special and specific purpose fencing enclosure allowable for the following four uses, only: 1.) Garden fencing – for protection of plants from deer or vandalism, 2.) Patio Fencing – for decorative purposes, such as trellis-work or screening for patio or outdoor living areas. 3.) Landscape Fencing – for decorative fencing that is incorporated into the landscaping of the yard as a whole, and 4.) Pet enclosures, for example dog runs or dog pens. For height, materials, construction and other specific regulations, see Section 40. ?

Loading space means an off-street space for the parking of a vehicle while loading or unloading merchandise or materials.

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

Lot means a tract or parcel of land on which a building of primary use may be built along with an accessory building incident to it, having a frontage on a dedicated street.

Lot, corner, means a lot situated at the intersection of two streets.

Lot, interior, means a lot other than a corner lot.

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 means a lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk; or a parcel of land, the deed of which was recorded in the office of the county clerk.

Lot, through, means a lot other than a corner lot, with frontage on two streets. On a through lot, both street lines shall be deemed front lot lines. Two back to back corner lots may be a through lot.

Marina means any structure or combination of structures designed for the mooring of boats, a marine fuel facility, and the sale of related merchandise allowed within the General Business One District, GBI. Sale of alcoholic beverages may be applicable.

Mobile home means a structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more

square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems.

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

~~Native Plants: plants indigenous to a given area in geologic time. This includes plants that have developed, have occurred naturally, or have existed for many years in an area. The City believes that appropriate use of native plants is beneficial due to lower maintenance needs, regional uniqueness, biological diversity, and wildlife habitat. Some native plants may be easier to care for because they have evolved in a place over many years, developing resistance to climatic extremes, insect feeding, disease pathogens and other stresses of the local environment. A list of examples of plants native to the Granite Shoals area is included as an exhibit to this ordinance.~~

*(leave in)*

~~Neighborhood Shops: A permitted use in CR1 & OD2, these shops are customarily independently-owned, small businesses. A shop which caters to the specific interests of people in the neighborhood or likely tourists to the city. Examples might be Antique/consignment sales, donut shop, dress shop, jewelry shop, bait and tackle shop, gift shop, book store or specialty grocery store.~~

Nonconforming building, means any building or part thereof 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.

On-site storage container, means a portable storage container designed and constructed as a standardized, reusable vessel intended to be loaded on a truck, rail car or ship and modified to be used for storage purposes. Examples include, but are not limited to, Conex boxes or any other portable storage container.

Overhang, means the part of a roof or wall that extends beyond the facade of a lower wall.

*look for a definition on U-net.*

Parking space, private. See section ~~40-16~~

Parking space, public. See section ~~40-16~~ ?

Paved areas, means an area surfaced with asphalt, concrete or similar all weather surface. See section ~~40-16(d)(1)~~.

~~Perimeter Fence? Definition?~~

Person, means a natural person, his heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors and/or assigns, or the agent of any of the aforesaid.

Personal Services or Personal-Service Activity: Any business enterprise with the primary purpose of providing personal services. Personal-service activities encompass a wide range of professions, including law, medicine, engineering, design, finance, accounting and even performing arts. An allowed use in certain districts, personal services can also include beauty parlors and nail salons.

Planning and zoning commission ~~means~~ the planning and zoning commission of the city.

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

Public use, ~~means~~ any use controlled by the city, county, state, federal or any other governmental entity or agency.

Public utility ~~means~~ an organization supplying but not limited to water, electricity, transportation, sewage treatment and disposal, solid waste collection and disposal.

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:

- (1) Tires, wheels, brakes, batteries, exhaust and suspension parts;
- (2) Accessory parts;
- (3) Lubricant and filter changes.

Repair facility 2, ~~means~~ a facility that in addition to some/all of the services provided by level one repair facilities, 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.

Resort complex, ~~means~~ a commercial enterprise located on acreage with appropriate landscaping and green space. It may have the following facilities located within its borders; lodging, conference centers, dining and bar facilities, swimming pools, marinas, tennis courts and service/support buildings.

Restaurants and bars, ~~mean~~ a retail establishment primarily engaged in the sale of prepared food and drinks for consumption on the premises.

Retail Nursery / ~~Commercial Greenhouse~~

RV or recreational vehicle, ~~means~~ vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and primarily designed as a temporary living accommodation for recreational, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

RV, watercraft and trailer storage (commercial), ~~means~~ the storage of one or more recreational vehicles, watercraft or trailers for a fee or other compensation.

→ find definition

Sexually Oriented Business: See City Code, Chapter 10 Businesses and Business regulations.

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. ~~Sign regulations are located in section 40-24.~~

Site plan, ~~means~~ a plan to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, sewer and water lines, building sites, reserved open space, buildings, major landscape features, both natural and manmade and the locations of proposed utility lines.

Street, ~~means~~ a right-of way, whether public or private and however designated, which provides vehicular access to adjacent land. Streets may be of the following categories:

- (1) Major thoroughfares, also known as arterial streets or primary thoroughfares, which provide vehicular movement from one neighborhood to another or to distant points within the city, and including freeways or highways leading to other communities.
- (2) Collector streets, also known as feeder streets or secondary thoroughfares, which provide vehicular circulation within neighborhoods, and from local streets to major thoroughfares.
- (3) Local residential streets, also known as minor thoroughfares or streets, which primarily provide direct vehicular access to abutting residential property.
- (4) Private streets are streets which are owned and maintained by an individual or group of individuals and are not dedicated to the public.

Structurally altered, ~~means~~ any addition or repair to any building which changes its basic structure, size, shape or outward appearance, or changes the plumbing, wiring or sewer connections of the building.

Texas industrialized housing, ~~means~~ building structures bearing a decal with white background, blue star, blue lettering, two inches by four inches. The insignia decal bears blue border and lettering and state map outlined in red. These structures are manufactured to meet requirements as set forth in the Texas Industrialized Housing and Buildings Act, Texas Civil Statutes 5221F-1, chapter 70, rules and regulations, and Texas Department of Licensing and Regulation, Texas Civil Statutes, article 9100, do meet the requirements of an R-1 single-family residence for zoning purposes.

Texas manufactured housing, ~~means~~ structures bearing a red Housing and Urban Development Seal, and/or manufactured as set forth by the Texas Manufactured Housing Act, Texas Civil Statutes, article 5221F, and Administrative Rules, and Texas Department of Licensing and Regulation, Texas Civil Statutes, article 9100, are mobile homes and do not meet the requirements of an R-1 single-family residence for zoning purposes.

*match  
w/  
transportation  
chapter  
verbiage  
from  
amended  
comp. Plan.*

The Texas Industrialized Housing and Buildings Act means Texas Civil Statutes 5221F, chapter 70, rules and regulations, and state department of licensing and regulation, Texas Civil Statutes article 9100 are incorporated into the ordinance from which this chapter is derived, as attachment A.

The Texas Manufactured Housing Act means Texas Civil Statutes, article 5221F, and administrative rules and state department of licensing and regulation, Texas Civil Statute, article 9100, is incorporated into the ordinance from which this chapter is derived, as attachment B. ???

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.

Waterfront Overlay District - ~~see Section 40.20~~ Waterfront Overlay District is intended to preserve and enhance the quality of waterfront property along Lake Lyndon B. Johnson (Lake LBJ) within the City of Granite Shoals.

Wholesale distributor means a distributor that sells motor fuels and lubricants at a wholesale level. No maintenance/repair services are provided.

Yard means an open space, on the same building lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided.

Yard, dominant side, means the widest side yard of a lot.

Yard, rear, means the part of the lot between a line projected the full width of a lot along the rear wall of the main building on said lot.

Yard, subordinate side, means the narrowest side yard of a lot.

(Ord. No. 409, § IV, 8-24-2004; Ord. No. 409-C, § II.A, 8-13-2008; Ord. No. 409-D, § 2.A, 6-22-2010; Ord. No. 409-E, § 2, 2-28-2012; Ord. No. 614, § II(B), 8-27-2013; Ord. No. 629, § II(A), 1-14-2014; Ord. No. 650, § 2(A), 7-22-2014)

Sec. 40-3. - General compliance for General Business I (GB-1), General Business II (GB-2) and Industrial Districts (I).

(a) No building shall be erected and no existing building shall be moved, structurally altered, added to or enlarged, nor shall any land, building or premises be used, or designated for use for any purpose or in any manner other than provided for hereinafter in the zoning district in which the building, land or premises is located; provided, however, that necessary structural repairs may be made where health and safety are endangered.

(1) Purpose. The purpose of this section is to provide control over the structures in business and industrial areas of the city so that they will complement existing

activities, structures and neighborhoods and conform to future plans of the city's growth.

- (2) **Review.** An applicant for a building permit for new construction or remodeling on any property zoned General Business One (GB-1), General Business Two (GB-2) or Industrial District (I) must submit to the city manager or city manager's designee for review description of the activity to be conducted, the location, building plans, site plans with dimensions, drawings and specifications.
- (3) **Approval.** Approval will be given based upon the appropriateness to the specific activity at the specific location with regard to existing activities, structures and neighborhoods and to the plans of the city.
- (4) **Rejection.** If the review results in a rejection of the submitted plans, the city manager or city manager's designee will send a letter of rejection to the applicant within five business days after rejection is given stating the specific reasons for the rejection. The applicant may modify the plans accordingly and resubmit the new plans to the city manager or city manager's designee at any time after this notice is received.
- (5) **Appeals.** Any person may appeal the city manager or city manager's designee's decision (rejection) to the board of adjustments.
- (6) **Design guidelines.** The following will be used as guidelines in determining the acceptability of submitted designs:
  - a. All plans submitted, must comply with the building codes in effect for the city at the time said plans are submitted.
  - b. Surface area of any building façade facing the public roadway, must be 40% glassbrick, rock or stone. For the remaining area, these materials may be used: glass, rock, wood, ~~rock, wood~~, masonry, copper, vinyl siding, aluminum siding, cement-board, cement board, or combination thereof. Wood must be properly painted, stained, protected, sealed or otherwise treated appropriate for the type of wood material used. Except for accessory storage buildings, sheets of pressed wood or plywood material are not considered acceptable as wood or masonry.
  - c. Masonry buildings may use brick, stone, stucco and similar materials. If concrete or cinder block is used, it must be textured and painted, or coated with stucco or a similar material.
  - d. Driveways and parking areas must be graded and paved or graveled with a dust-free material (includes granite gravel).
  - e. Minimum landscaped open space must be provided as follows:
    1. Office uses: Fifteen percent of lot area;
    2. Commercial uses: Ten percent of lot area;
    3. Industrial uses: Five percent of lot area.

*at least*

Said area must be landscaped with grass, shrubs, trees, flowers, native ~~vegetation plants~~ or drought-resistant plants.

- f. Material used on the framing or exterior surfaces of any structure must be new and of good quality. Antique, reclaimed or recycled material may be used on interior surfaces at the property owner's discretion.
- g. All heating and air conditioning equipment shall be screened from the view from any public street.
- h. Rear yards shall be required, only in the instance when the property abuts, along its rear lot line, property zoned and used for residential purposes, in which case a ten-foot rear yard shall be provided between GB uses and Residential uses, and not less than a 20-foot rear yard between Industrial uses and Residential uses.
- 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) Nonconforming building and uses. ~~Refer to section 40-18 for regulations.~~ → find correct reference.

(8) Compliance and violations. Compliance by the applicant to the plans submitted and approved, will be determined by the city manager or city manager's designee. Should the city manager or city manager's designee determine that the actual construction varies from the approved plans, the city manager or city manager's designee may issue a violation and the applicant may be subject to a fine.

(b) No building shall be erected, nor shall any existing building be structurally altered, enlarged or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, unless the same shall conform to the regulations hereinafter designated for the zoning district in which such building or open space is located.

(c) No yard or other open space provided around any building for the purpose of complying with provisions of this chapter shall be considered as providing a yard or open space for a building on any other lot.

(Ord. No. 409, § V, 8-24-2004; Ord. No. 409-D, § 2.B, 6-22-2010; Ord. No. 663, § II, 7-28-2015)

Sec. 40-4. - Establishment of zoning districts and boundaries, and governing building codes.