

ORDINANCE NO. 810-B

“Amended Granite Pointe Waterfront Planned Development Ordinance”

AN ORDINANCE OF THE CITY OF GRANITE SHOALS, TEXAS AMENDING THE GRANITE POINTE WATERFRONT PLANNED DEVELOPMENT DISTRICT; ADOPTING PLANNED DEVELOPMENT REGULATIONS FOR THE PLANNED DEVELOPMENT DISTRICT (PD); ESTABLISHING BOUNDARIES FOR THE PD; AMENDING THE ZONING MAP; ENACTING CERTAIN DEVELOPMENT STANDARDS AND LAND USE REGULATIONS; SETTING OUT ADMINISTRATIVE AND LEGISLATIVE PROCEDURES; IMPOSING CIVIL AND CRIMINAL PENALTIES, INCLUDING FINES NOT TO EXCEED \$2,000 PER OFFENSE; PROVIDING FINDINGS OF FACT AND APPROVAL AUTHORITY FOR THE CITY COUNCIL; PROVIDING FOR ENFORCEMENT AND PENALTIES, AND PROVIDING FOR REPEALER, SEVERABILITY, AN EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council (the “City Council”) of the City of Granite Shoals, Texas (the “City”) seeks to continue to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, Chapter 40 (Zoning) of the City’s Code of Ordinances establishes reasonable land use regulations within the City, including the use of Planned Developments (“PDs”), particularly to meet unique development needs of certain projects; and

WHEREAS, Section 40-27, of Chapter 40 of the City’s Code of Ordinances specifies the procedure and requirements for the creation of PDs, and permits development of land as an integral unit for single or mixed use in accordance with a PD Concept Plan and in which the goals and objectives of the Comprehensive Plan are to be implemented; and

WHEREAS, the owner and developer, Sterling Creek Holdings, LLC (the “Developer”), proposes development of property in the City in a manner that includes unique needs and for which a Conceptual Site Plan (the “Concept Plan”), attached hereto as Exhibit “A,” and incorporated herein for all purposes, contains proposed development standards for a PD; and

WHEREAS, Section 40-27 of the City’s Code of Ordinances describes Planned Development Districts which permit a combination of dwelling types and/or a variety of land uses which complement each other; and

WHEREAS, the PD is in compliance with the City’s Comprehensive Plan dated February 2010; and

WHEREAS, the property proposed for inclusion in such PD is approximately 3.478 acres and comprised of Lots as described herein, in the City of Granite Shoals, in Burnet County, Texas; and

WHEREAS, the Planning and Zoning Commission and the City Council have examined such Concept Plan and all accompanying documents and is of the opinion that the proposed PD, as amended, is in compliance with Section 40-27 of the City’s Code of Ordinances and that a PD should be created and be identified hereinafter as The Granite Pointe Waterfront PD as described within this Ordinance; and

WHEREAS, Public notice was provided, and the Planning and Zoning Commission and the City Council have conducted public hearings on amendment of The Granite Pointe Waterfront PD, as required by the City’s Code of Ordinances; and

WHEREAS, the City Council, in the exercise of its legislative discretion, finds that it is in the best interests of the welfare of the citizens of the City, and consistent with the City’s Comprehensive Plan, to approve and regulate the land use and development throughout the PD as described in this amended ordinance

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

I. FINDINGS OF FACT

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

II. ZONING CHAPTER AMENDED

Chapter 40 (Zoning) of the City of Granite Shoals, Texas Code of Ordinances as heretofore amended is hereby amended by adding a new Planned Development Zone, “The Amended Granite Pointe Waterfront PD,” as more fully set forth herein. This Ordinance amends the City’s Zoning Chapter but shall stand alone and shall be complementary to rather than supplanting or replacing portions of such Zoning Chapter.

III. APPLICABLE ZONING AND OTHER REGULATIONS

The Property shall be regulated for purposes of zoning and subdivision by the City Code’s Zoning and Subdivision Chapters and shall be subject to all other City Codes and Ordinances in effect except as herein specifically provided. Particular zoning classifications are set forth in this PD Ordinance. Where a general zoning item is not specifically addressed in this PD Ordinance but is addressed by the City’s Zoning Chapter or other Code or Ordinance in effect, the Zoning Chapter or other Code or Ordinance shall control. In the event of any conflict between this PD Ordinance and the City’s Zoning Chapter, this PD Ordinance shall control. Where a general subdivision matter is not specifically addressed in this PD Ordinance but is addressed by the City’s Subdivision Chapter or other Ordinance in effect, the Subdivision or other Ordinance shall control. In the event of any conflict between this PD Ordinance and the City’s Subdivision Ordinance, this PD Ordinance shall control.

IV. DEFINITIONS

Accessory Structure: any structure, the use of which is customarily incidental and subordinate to that of the main building on the same lot, such as a garage, carport, swimming pool, sports court, tennis court, guest house, greenhouse, boat houses and boat docks, woodshed, tool shed and the like.

City Council: the City Council of the City of Granite Shoals, Burnet County, Texas.

Developer: Sterling Creek Holdings, LLC and shall include any person, partnership, firm, association, corporation (or combination thereof), and/or any officer, agent, employee, contractor, subcontractor, servant and trustee thereof who performs or participates in the performance of any act toward the subdivision and/or development of land within the intent, scope and purview of this PD Ordinance. Developer shall also be defined as the builder and the builder’s contractors and subcontractors if it is responsible for the construction of buildings and/or other structures or permanent improvements.

Granite Pointe Waterfront Committee of Architecture (GPWCA): the Committee for architecture for Granite Pointe Waterfront Community. Committee will provide design guidelines for all residential construction.

Lakefront Estate Lot: those Lots zoned R-1LE; more specifically, Lots 3-11.

Lot or Lots: Single Family Lakefront Estate Lots 3-11-, and Single-Family Lakeside Cottage Style Dwelling Units, Lots 14-35, inclusive, Granite Pointe Waterfront Community in the City of Granite Shoals, Burnet County, Texas.

PD: a Planned Development under the City’s Zoning Chapter.

PD Concept Plan: the Concept Plan that establishes the general guidelines for the PD by identifying the proposed land uses and intensities, thoroughfare locations, and open space boundaries and illustrates the integration of these elements into a master plan for the entire PD, a copy of which is attached hereto as “Exhibit A” and incorporated herein for all purposes.

Project: “The Granite Pointe Waterfront” neighborhood residential development, discussed more fully in the PD Concept Plan.

Property: the approximately 3.478 acres of land which is owned by Developer and currently located within the corporate boundaries of the City and more fully described as comprised of Lots as described herein, Granite Pointe Waterfront Community in the City of Granite Shoals, Burnet County, Texas, and is intended to be developed as the Project.

Residential Single Family Lakeside Cottage Style Dwelling Units (R-2LC): those lots zoned R-2LC, more specifically, lots 14-35

Short Term Rental (STR): a dwelling unit intended for permanent occupancy that is occupied for transient use by any person other than the primary owner for any form of compensation for a period of not less than one day, nor more than 30 consecutive days.

V. THE GRANITE POINTE WATERFRONT PD

I. PD Standards

The Project shall be zoned in two classifications R-1LE Single Family Lakefront Estate and R-2LC Single Family Lakeside Cottage Style Dwelling Units

A. R-1LE Single Family Lakefront Estates Lots 3-13

- i. Only one principal single family detached dwelling unit permitted on a Lot.
- ii. Minimum Lot Width
 - i. 30' Minimum chord width length on any Lot along a turnaround portion of cul-de-sac.
 - 45' Minimum Lot width
- iii. Short Term Rentals allowed in accordance with the City's Short Term Rental Ordinance. The property owner shall register the short-term rental with the City of Granite Shoals.

B. R-2LC Single Family Lakeside Cottage Style Dwelling Units Lots 14-35

- i. Only one principal single family dwelling unit permitted on a Lot.
- ii. Minimum Lot Area
 - i. 1,360 square feet minimum
- iii. Community Center or Clubhouse;
- iv. Recreational facilities, which may include, but are not limited to pedestrian paths throughout the property, a swimming pool, a fitness center, community marina, and space for social activities.
- v. Short Term Rentals allowed in accordance with the City's Short Term Rental Ordinance. The property owner shall register the short-term rental with the City of Granite Shoals.

II. Site Development Standards

Development of the Property shall comply with the following site development standards:

A. **Integrated Development.** The PD shall be treated as an integrated development for the purpose of requirements relating to drainage, structural and non-structural water quality control, impervious cover, utility service, parking and off-street loading, traffic impact analyses, landscaping, open space, green space, and other requirements which the City may determine should reasonably be treated in a similar fashion.

B. **Impervious Cover.** The overall impervious cover on the Property shall be in accordance with the LCRA Highland Lake Watershed Ordinance.

C. **Height Limits.**

- i. R-1LE Residential: forty-eight (48) feet in height measured from the highest terrain elevation on the street side of the building.
- ii. R-2LC: forty-eight (48) feet in height measured from the highest terrain elevation on the street

side of the building, no more than three (3) stories on R-2LC Lots 14-35.

- iii. Buildings shall not exceed forty-eight (48) feet in height, as measured from the highest terrain elevation on the street side of building to the top of the ridge of the primary roof, exclusive of towers, chimneys, clerestories, cupolas, spires, and like structures.

D. Conceptual Site Plan

- i. A Conceptual Site Plan, attached as Exhibit A, will be submitted, and will contain the elements required by Section 40-27 of the City's Code of Ordinances.

E. Parking Requirements:

- i. R-1LE – Require a garage that holds a minimum of two cars.
- ii. R-2LC
 1. Require a minimum of two parking spaces per every 2-3 bedroom unit.

F. Building Setbacks (Exhibit B):

a.R1-LE

- i. Front Yard Setback - conform to minimum depth of fifteen (15) feet from the front property line to the edge of the foundation at the ground level exclusive of finishes and trims.
- ii. Side Yard Setback -shall conform to minimum depth of five (5) feet from the side property line to edge of the foundation at the ground level exclusive of finishes and trims.
- iii. Rear Yard Setback -shall conform to minimum depth of fifteen (15) feet from the property line to the edge of the foundation at the ground level exclusive of finishes and trims. Building foundations within the boundaries of the property shall be separated by a minimum of ten feet at ground level. Roof overhangs between adjacent buildings shall be separated by a minimum of four feet.
- iv. Building line setbacks on a lot may be encroached by flatwork, steps, porches, patios, utility courtyards, fences, balconies, projecting masses at the second and third levels, and roof overhangs and gutters.
- v. Exceptions to Minimum Setback:
 - a. Swimming pools may encroach side and rear setbacks. In-ground pools, including "Negative Edge" pools are permitted. Screening and enclosures shall comply with the provisions set by the Granite Pointe Waterfront Committee of Architecture (GPWCA).

b.R-2LC

- i. Front Yard Setback - shall conform to minimum depth of two and a half (2.5) feet from the front property line to the edge of the foundation at the ground level exclusive of finishes and trim.
- ii. Side Yard Setback -shall conform to minimum depth of two and a half (2.5) feet from the side property line to the edge of the foundation at the ground level exclusive of finishes and trim.
- iii. Rear Yard Setback -shall conform to minimum depth of two and a half (2.5) feet from the property line to the edge of the foundation at the ground level exclusive of finishes and trim.
- iv. Building foundations within the boundaries of the property shall be separated by a minimum of ten feet at ground level. Roof overhangs between adjacent buildings shall be separated by a minimum of four feet.
- v. Building line setback lines on a lot may be encroached by flatwork, steps, porches, patios, utility courtyards, fences, balconies, projecting masses at the second and third levels, and roof overhangs and gutters. .
- vi. Exceptions to Minimum Setback: R-2LC Lots 14, 17, 20-23, 25-29, and 32-35 . These

Lots will have Zero Lot Line requirements.

G. Street and Access

Primary access to the Property shall via Pointview Drive as shown on the PD Concept Plan.

- i. Access width of forty (40) feet
- ii. Pavement width minimum of twenty-four (24) feet. Access shall be provided to previously platted lots.

H. Architectural Design Guidelines

- i. All buildings within the PD shall be consistent in character and shall be in accordance with Granite Pointe Waterfront Committee of Architecture (GPWCA).
- ii. Developer shall provide the GPWCA with engineer certified plans for the construction of the any perimeter walls or walls to be constructed on any Lot. All walls constructed on any Lot must be approved by the GPWCA as to height, design, materials, color and type of construction.

I. Accessory Buildings:

- i. Accessory buildings to be used for residential purposes shall comply with the provisions set by the Granite Pointe Waterfront Committee of Architecture (GPWCA).
- ii. Accessory buildings are not required to be attached to the principal residence on the Lot.
- iii. No structure on the shoreline or extending beyond shall exceed the height of 35 feet above the 825-foot elevation of Lake LBJ as measured from the 825 foot mean lake level to the top of the ridge of the primary roof, exclusive of towers, chimneys, clerestories, cupolas, spires and like structures.

J. Utilities

- i. Developer agrees to install such water and wastewater lines as required to accommodate the Project, irrigation (with back flow preventer valve), and new fire hydrants, all where applicable. It is Developer's responsibility to provide adequate wastewater service to the Project.
- ii. Developer shall install fire sprinklers pursuant to any applicable fire codes and regulations, or in lieu thereof, Developer shall provide adequate access to the appropriate fire authorities, including the City's Fire Department.

VI. MODIFICATIONS TO THE PD CONCEPT PLAN

Major Modifications to the PD Concept Plan must receive prior approval by the City Council.

VII. ZONING MAP AMENDED

The official Zoning District Map of the City of Granite Shoals hereto adopted is hereby amended to reflect the zoning changes made herein in accordance with the PD Concept Plan.

VII. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this PD 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 the Major 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.

IX. EFFECTIVE DATE

This PD Ordinance shall take effect immediately from and after its passage and publications as may be required by governing law.

X. 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.

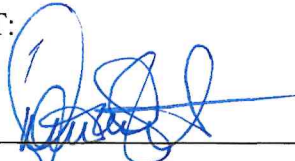
This PD Ordinance shall become effective upon passage and adoption in accordance with the State Law.

Passed and approved this 27th day of June 2023

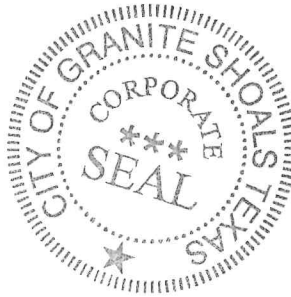


Kiel Arnone, Mayor

ATTEST:



Dawn Wright, City Secretary



Approved to Form:



Josh Katz, City Attorney