



**NOTICE OF AGENDA
GRANITE SHOALS PLANNING AND ZONING COMMISSION
REGULAR MEETING**

TUESDAY, AUGUST 5, 2025 AT 6:00 PM

City of Granite Shoals City Hall, 2221 N. Phillips Rd., Granite Shoals, TX 78654
Phone (830) 598-2424 Fax (830) 598-6538 • www.graniteshoals.org

AGENDA

Livestream: <https://youtube.com/live/ElcijGmipO4?feature=share>

- 1. Call to Order/ Roll Call/ Welcome**
- 2. Public Comments/Announcements**
- 3. Consent Agenda**
 - 3.a. Discuss and consider approval of meeting minutes from July 15, 2025
- 4. Discussion Items**
 - 4.a. Discuss and consider updates from the Chapter 40 Workgroup.
 - 4.b. Review of the City Council's Strategic Planning Workshop summary.
- 5. Action Items**
 - 5.a. Discuss and consider the uses of General Business Districts 1 and 2.
 - 5.b. Discuss, consider, and take appropriate action regarding possible recommendations to the Council for changes to Chapter 40 Code of Ordinances.
- 6. Future Agenda Items**
 - 6.a. Next meeting date: September 2nd (commission appointments by Council scheduled for August 12th)
- 7. Adjournment**

CERTIFICATION

IT IS HEREBY CERTIFIED that the foregoing agenda has been posted on both the indoor bulletin board and outdoor notice board of Granite Shoals City Hall on or before 6:00 PM on the 31st day of July, 2025. Requests for accommodations or interpretive services must be made 8 hours prior to this meeting. Please contact the City Secretary at (830) 598-2424 for further information.

Dawn Wright, City Secretary



**This Notice and Meeting Agenda, and the Agenda Packet, are posted online
at www.graniteshoals.org**



**NOTICE OF AGENDA
GRANITE SHOALS PLANNING AND ZONING
COMMISSION
REGULAR MEETING
TUESDAY, JULY 15, 2025 AT 6:00 PM**

City of Granite Shoals City Hall, 2221 N. Phillips Rd., Granite Shoals, TX 78654
Phone (830) 598-2424 Fax (830) 598-6538 • www.graniteshoals.org

MINUTES

1. Call to Order/ Roll Call/ Welcome

The meeting was called to order at 6:00 PM.

Moved by Forest Henson; seconded by Libby Edwards to excuse the absence of Dan Romasko.

Motion Passed: 6 - 0

Voting For: Libby Edwards, Paul Fletcher, Forest Henson, Anita Hisey, Pete Borths, Shannon Wilson

Voting Against: None

2. Executive Session (Closed to the Public)

The Planning and Zoning Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any matters listed on the agenda, as authorized by Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), and/or 418.183 (homeland security).

- 2.a. Executive Session – Enter into executive session to consult with attorney to seek advice on legal matters pursuant to Texas Government Code Section 551.071 regarding Charter and Ordinance provisions related to Planning and Zoning Commission functions and governance. No action will be taken in executive session; action, if any, will be taken in open session.

- The Commission adjourned into executive session at 6:02pm.
- The Commission reopened the regular meeting at 6:40pm.
- No action taken.

3. Citizen Comments

- None.

4. Discussion Items

4.a. Discuss and consider updates from the Chapter 40 Workgroup.

- Surveys being developed for both citizens and builders regarding Chapter 40 usability.
 - Goal: Assess effectiveness, identify issues, and benchmark against other cities' practices.
- Standing workgroup meetings scheduled weekly on Thursdays moving forward.
- Monthly workgroup updates to Planning and Zoning Committee representatives (Shannon, Sarah, or Dan) to relay pertinent updates to City Council as needed the following week.
- This will remain a recurring agenda item with flexibility in frequency.

4.b. Discuss and consider the uses of General Business Districts 1 and 2.

Purpose of this review: Understand which types of businesses, particularly within GB1 and GB2 zoning, are contributing or failing to contribute to sales tax revenue shortages.

- Existing permitted uses/commercial lists examined; recognized as outdated (e.g., Blockbuster/video rental stores still included).
- Discussed need to update and modernize the list of allowed uses to reflect current and future needs.
- Recognized that edits may need to align with broader comprehensive plan revisions.
- Noted discrepancies regarding sales tax generation from certain business types: Personal services (e.g., barbershops, beauty shops, nail salons) typically do not generate sales tax on services, only on retail product sales.

Members were urged to critique and propose clearer or more appropriate business definitions.

4.c. Discuss and consider Ord. 875 -Revising Organization, Duties, and Powers of the Planning and Zoning Commission adopted by the City Council on July 8, 2025.

- Recent adoption by city council: July 8, 2025.
- Stipulates two-year terms for commission members, clarifying prior informal practices.
- Current members are required to reapply; Dawn has distributed the application forms.
- Deadline for applications: July 22, 2025.
- Discussion about the process for staggered terms (one- and two-year options)

to ensure continuity.

5. Consent Agenda

- 5.a. Discuss and consider approval of meeting minutes from June 2, 2025.

Moved by Libby Edwards; seconded by Anita Hisey to approve meeting minutes from June 2, 2025.

Motion Passed: 6 - 0

Voting For: Libby Edwards, Paul Fletcher, Forest Henson, Anita Hisey, Pete Borths, Shannon Wilson

Voting Against: None

6. Public Hearings

- 6.a. Conduct a public hearing to discuss and consider existing permitted uses within the GB-2 zoning designation of Chapter 40 and potential amendments thereto.

Public Hearing opened at 6:52pm.

- Originated from a specific request to add climate-controlled self-storage as an allowable use in GB2, different from existing approvals for boat/RV storage.
- Presentation by Mr. Schmer and his son plan to build a high-quality, aesthetic self-storage facility with four low-profile buildings and retail anchored on Churchill Drive, with no direct access from 1431.
- Facility details: 200 units, all at ground level, six-foot fence (privacy and/or chain-link considered).
- Anticipated benefits:
 - Property tax revenue (not significant sales tax from storage use itself).
 - Potential for increased sales tax from adjacent or included retail businesses (e.g., mailbox store, laundromat, or restaurants, as retail tenants express interest in further development).
 - The project is planned to meet LCRA septic requirements.
- Considerations:
 - Concern about screening/aesthetic impact and security.
 - The addition of self-storage is seen as aligning with the City's core service needs and growth.
- Question by members regarding potential loss of sales tax and project viability without self-storage approval.

Public Hearing closed at 7:07pm.

- 6.b. Conduct a public hearing to discuss and consider a request to rezone the entirety of Lot 265-A, located at 1204 N. Phillips Ranch Road to GB-1.

Public Hearing opened at 7:13pm.

- Current configuration: Front of lot zoned GB1, back portion MH1.
- Request: Rezone entire parcel as GB1 for consistency and future business purposes.
- The applicant, Chris Kelleher, plans to operate a “retail boat-ready” business offering retail goods (life jackets, fire extinguishers, etc.) and boat cleanup/detailing services and is anticipated to generate sales tax.

Clarifications:

- Current fencing (approximately six feet) discussed for privacy and esthetics; a fence was recently installed.
- Concerns regarding zoning change on the reduction in MH1 (mobile home) established in city zoning and its effects on affordable housing.
- The president noted other similar zoning changes in the corridor.
- The applicant clarified that boats will be temporarily kept for cleaning; fencing provides privacy and visual screening.

Public Hearing closed at 7:17pm.

7. Action Items

- 7.a. Discuss, consider, and take appropriate action in the form of a recommendation to Council regarding the existing permitted uses within the GB-2 zoning designation of Chapter 40 and potential amendments thereto.

Moved by Forest Henson; seconded by Paul Fletcher to add climate-controlled self storage to the list of approved businesses in GB-2.

Motion Passed: 4 - 2

Voting For: Paul Fletcher, Forest Henson, Anita Hisey, Pete Borths

Voting Against: Libby Edwards, Shannon Wilson

- A favorable recommendation regarding this addition will be forwarded to the council.

- 7.b. Discuss, consider, and take appropriate action in the form of a recommendation to Council regarding the request to rezone the entirety of Lot 265-A, located at 1204 N. Phillips Ranch Road to GB-1.

Moved by Libby Edwards; seconded by Forest Henson to approve the rezone entirety of Lot 264A located at Phillips Ranch Road to GB-1.

Motion Passed: 6 - 0

Voting For: Libby Edwards, Paul Fletcher, Forest Henson, Anita Hisey, Pete Borths,
Shannon Wilson
Voting Against: None

- A favorable recommendation regarding this addition will be forwarded to the council.

7.c. Discuss, consider, and take appropriate action regarding possible recommendations to the Council for changes to Chapter 40 Code of Ordinances.

Ongoing discussion item; no action was taken at this meeting.

8. Future Agenda Items

- The group will revisit and discuss GB1 and GB2 at the next meeting. Members are assigned related homework.
- It was suggested to review the output from the strategic plan, which has become input to the comprehensive plan.

9. Adjournment

With no further business or discussion, Shannon Wilson adjourned the meeting at 7:20pm.

CERTIFICATION

I hereby certify that the above minutes are true and correct from the Planning and Zoning Commission meeting of July 15, 2025.

Shannon Wilson -
Chair



City of Granite Shoals, Texas
2221 North Phillips Ranch Road
Granite Shoals, Texas 78654
(830) 598-2424 Fax: (830) 598-6538
www.graniteshoals.org

July 31, 2025

To: Chair Wilson and the Planning Commission
From: Becky Sims, Building and Development Specialist

RE: Work Group 40

This memo serves to provide a progress update on the ongoing efforts of the Chapter 40 (Zoning Regulations) work group.

- The group consists of:
 - Council member Mike Pfister
 - Council member Catherine Bell
 - Planning Commission Chair Shannon Williams
 - Planning Commission member Dan Romasko
 - Planning Commission member Libby Edwards
 - Code Compliance Officer Preston Williams
 - Building and Development Specialist Becky Sims
- The group has held three meetings facilitated by Dan Romasko.
- The initial meeting provided an overview of areas of focus for Chapter 40, Zoning Regulations, and defined the work group perimeters and expectations.
- Dan and Becky took the lead to create a list of questions geared towards developers, builders, realtors etc. for the group to review. This is part of the outreach to obtain feedback from end users.
- The final list of questions and survey invite list has been approved by the work group.
- Link to survey was sent to work group to test and provide recommendations prior to going live.
- Becky is preparing a personal invite letter and compiling addresses for participant invite list.

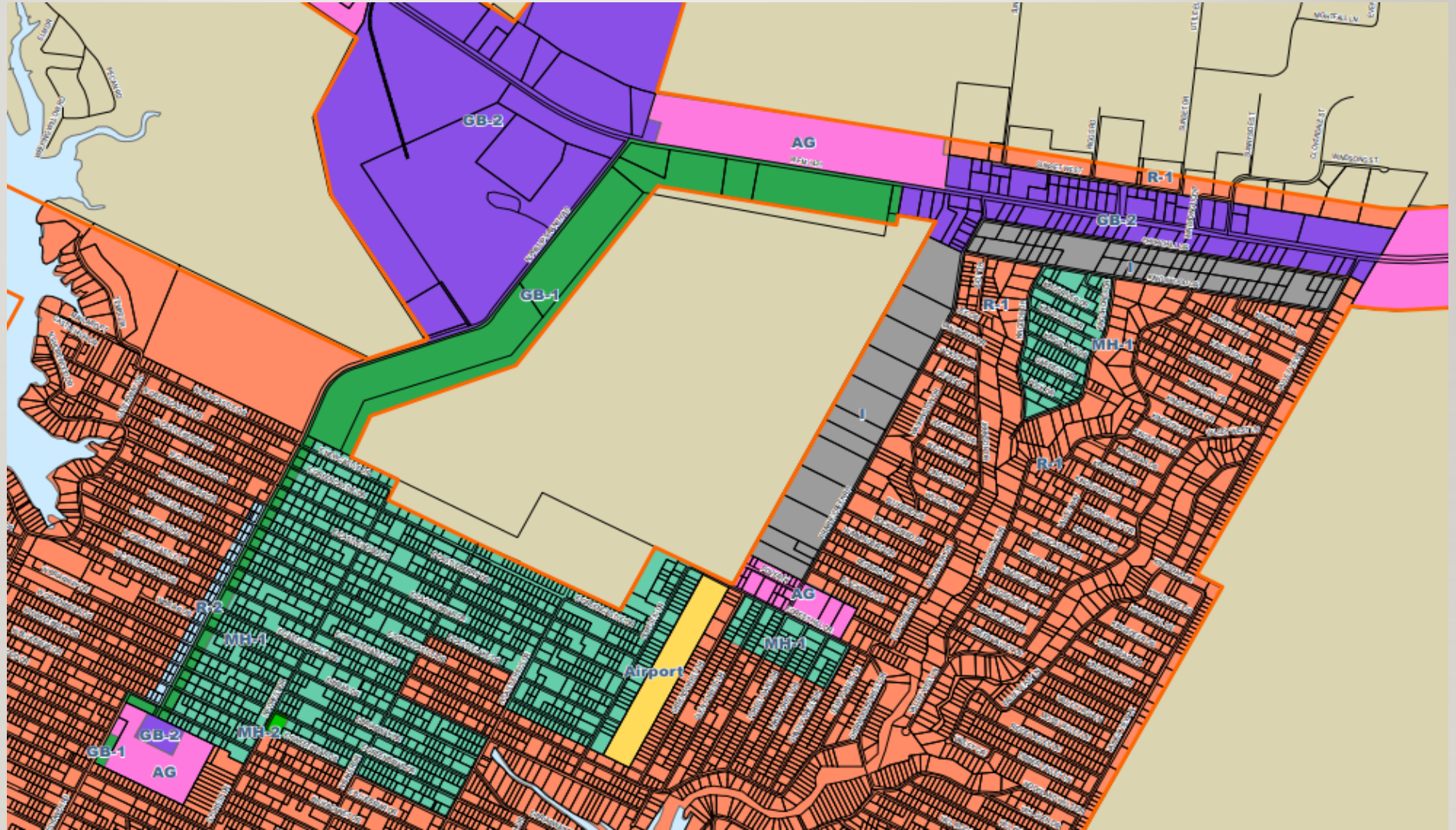
Next Steps:

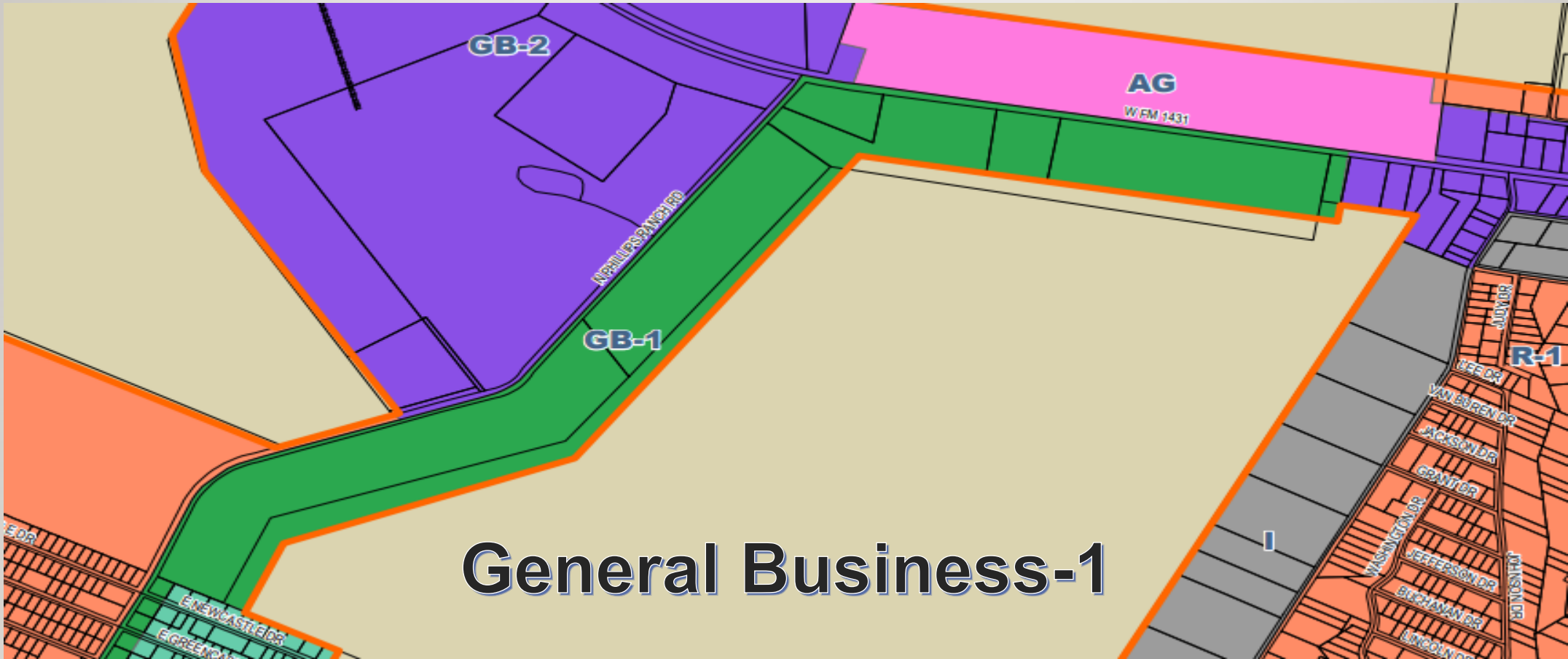
- Send invite to complete survey with a deadline (TBD)
- Compilation of survey results
- After evaluating the number of participants along with the survey results, the group will agree on the next steps. The group is prepared to host a round table with participants to discuss their feedback and recommendations.
- The group led by Council member Pfister has begun penciling topics for a community survey to follow.

GENERAL BUSINESS DISTRICTS

PERMITTED USES

General
Business District
GB-1 (Green)
GB-2 (Purple)





GENERAL BUSINESS DISTRICT 1

Business Type	Definition	Generates Sales Tax Revenue
Automobile Parts & Accessory Sales	Sells equipment and parts used for repairing, servicing, or customizing vehicles.	Yes
Bakeries	Produces and sells baked good; such as bread, cookies, cakes, doughnuts, bagels, pastries and pies.	Yes
Banks	Financial institution that accepts deposits from the public and creates a demand deposit, makes loans and other various lending activities.	No
Business or Commercial Schools	Offers comprehensive education in various disciplines related to the world of business and management.	No
Day Nursery	A facility where young children are taken care of, especially while their parents are working.	No
Drive-In Restaurants, Bowling Alley and other similar places	Eating establishment where food and/or drinks are served to customers in motor vehicles. Amusement establishments (skating rink, movie theater)	Yes
Drug Store	Retail store where medicines and miscellaneous articles are sold.	Yes
Electronic Service Centers	Information and communication technology, E-Services. Sales tax if selling goods and services.	Yes
Florist Shop	Retail store that sells flowers, indoor plants and florals arrangements.	Yes
Furniture Store	Retail store that sells furniture and related accessories	Yes
Grocery or Convenience Store	Retail store that sales a general line of food products, small shops, easy to grab products; typically attached to gas stations.	Yes
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.	Yes

GENERAL BUSINESS DISTRICT 1- CONTINUED

Business Type	Definition	Generates Sales Tax Revenue
Hardware Store	Retail establishment that sells a variety of tools and home improvement items.	Yes
Medical Outpatient Clinics	Healthcare facility where patients receive diagnosis and treatment without being admitted to a hospital.	No
Hotels, Motels and Bed & Breakfasts	Lodging establishments	Hotel Occupancy Tax
Self-Service Laundry	Facility where customers can wash and dry their clothes themselves without professional help. Vending machine items taxable.	No
Nursing Homes	A private institution providing residential accommodations with healthcare, especially for elderly people.	No
Office Buildings	Used for administrative, clerical or educational activities.	No
Personal Service and 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 providing specialized products or services	Yes
Pharmacies	Store where medicinal drugs are dispensed and sold. Prescriptions are tax exempt.	Yes
Printing and Copying Services	Printing, publishing or graphic arts services	Yes
Public Utilities	Entity that provides goods or services to the public.	Yes

GENERAL BUSINESS DISTRICT 1- CONTINUED

Business Type	Definition	Generates Sales Tax Revenue
Radio and Television Broadcasting Studios	Facility equipped with audio and video production technologies for producing	No
Recreational Vehicle Sales	Establishment that sells and or rents new and or used recreational vehicles, travel trailers, boats, watercrafts and similar types of vehicles.	Yes
Video Rental Sales	Business that rents home videos, such as movies, TV shows, and video game cartridges.	Yes
Restaurants and other food service facilities that comply with this chapter	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.	Yes
Alcoholic beverage stores that comply with this chapter	Retail business that predominately sells prepackaged alcoholic beverages, including liquors, wine, or beer, usually intended to be consumed off premise.	Yes
Resort Marina's that comply with this chapter.	Facility that offers safe place to dock, coverage from the elements and possible recreational amenities such as swimming pools, fitness centers, shopping, and lounges	Yes

[illegible]

GENERAL BUSINESS DISTRICT 2 *ALL USES IN GB1-

Business Type	Definition	Generates Sales Tax Revenue
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.	Yes
Cleaning and Laundry Plant	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.	No
Farm Equipment Sales and Service	Establishments selling, renting, or repairing agricultural machinery, equipment and supplies.	Yes
Fueling Station	Facility that sells fuel and engine lubricants for motor vehicles. Use could be defined as a stand-alone gas station or offer expanded services such as oil changes, tire repair or other minor car repairs.	Yes
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.	Yes
Machine or Welding Shop	Facility that specializes in joining, repairing, or cutting metal materials using skilled welders.	Yes
Repair Facility 1	Facility that repairs vehicles, such as a garage, body shop or other commercial entity, or repair facility for personal property.	Yes
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)	No
Tool and Equipment Rental	Industry providing machinery, equipment and tools for a limited time to users, mainly	Yes





























§ 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 facade must be 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. Wood must be properly painted, stained, protected, sealed or otherwise treated appropriate for the type of wood material used.
- 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.

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

- f. Material used on the framing or exterior surfaces of any structure must be 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. 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.

(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.

(Ordinance 409, sec. V, adopted 8/24/04; Ordinance 409-D, sec. 2.B, adopted 6/22/10; Ordinance 663, sec. II, adopted 7/28/15; Ordinance 779 adopted 1/28/20)

§ 40-12. General Business District One, GB-1.

- (a) Sale of alcoholic beverages. A local option election was held on May 21, 1977, permitting the sale of alcoholic beverages, including mixed beverages within the city limits. At the time of the approval of this chapter, this applies to all areas of General Business, GB-1, with the exception of that tract of land annexed by Ordinance No. 270, dated September 1992. This tract of land is zoned General Business One, GB-1, but a local option election has not been held for it. The following applies in a General Business District One, GB-1:
- (1) A business that is permitted must have a retail on-premises consumption permit or license and less than 50 percent of the gross receipts for the premises is from the sale or service of alcoholic beverages (TABC regulatory and penal provisions, V.T.C.A., Alcoholic Beverage Code sec. 109.33(f)(1)). An example of this permitted use is a full service restaurant. Upon the restaurant's annual renewal of license, a prepared written audit that shows that the gross sale of alcoholic beverages is less than 50 percent of the establishment's gross receipts and the license application will be presented to the building official prior to TABC renewal.
 - (2) A business that is permitted must have a retail off-premises consumption permit or license and less than 50 percent of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages (TABC regulatory and penal provisions, V.T.C.A., Alcoholic Beverage Code sec. 109.57(d)(2)). An example of this is a full service grocery store. Upon the store's annual renewal of license, a prepared written audit that shows that the gross sale of alcoholic beverages is less than 50 percent of the establishment's gross receipts less exclusions and the license application will be presented to the building official prior to TABC renewal.
 - (3) A business that is permitted must have a retail off-premises consumption permit or license, in accordance with TABC Regulatory and Penal Provisions. An example of this permitted use is an alcoholic beverage store.
 - (4) No establishment will be permitted that derives 75 percent or more of the establishment's gross revenue from the on-premises sale of alcoholic beverages (TABC regulatory and penal provisions, V.T.C.A., Alcoholic Beverage Code sec. 109.57(d)(2)). An example of this nonpermitted use is a public bar.
- (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.
- (4) Business or commercial schools.
- (5) Day nursery.
- (6) Drive-in restaurants, bowling alley and other similar places of entertainment.
- (7) Drug store.
- (8) Electronic service centers.
- (9) Florist shop.
- (10) Furniture store.
- (11) Grocery and convenience stores.
- (12) Greenhouses and retail nurseries.
- (13) Hardware stores.
- (14) Medical outpatient clinics.
- (15) Hotels, motels, bed and breakfasts.
- (16) Self-service laundries.
- (17) Nursing homes.
- (18) Office buildings.
- (19) Personal service and neighborhood shops.
- (20) Pharmacies.
- (21) Printing and copying services.
- (22) Public utilities.
- (23) Radio and television broadcasting studios.
- (24) Recreational vehicle sales.
- (25) Video rental sales.
- (26) Restaurants and other food service facilities that comply with this chapter.
- (27) Alcoholic beverage stores that comply with this chapter.
- (28) Resort marinas that comply with this chapter.

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 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) Height. No building shall be less than ten feet or more than 25 feet in height.

(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. 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.

- (g) 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.
- (h) Lighting. No use, operation, facility, premises or parking area shall be lighted in such a manner as to provide direct glare into an adjoining residential district. All lighting in the GB-1 district shall be hooded or shielded so that the light source is not directly visible from residential areas and public streets to avoid a hazard.
- (i) Noise. Where a general business use abuts a residential district, noise shall not exceed the standards set forth in this subsection. Noise shall be measured at the common boundary of the general business district and the residential district. Measurement of sound shall be done with an A-weighted filter constructed in accordance with the specifications of the American National Standards Institute. The maximum permitted sound levels measured in decibels for the Industrial District abutting residential uses shall be 95 decibels.

(Ordinance 409, sec. XII, adopted 8/24/04; Ordinance 409-D, sec. 2.D, adopted 6/22/10; Ordinance 629, sec. II(B), adopted 1/14/14; Ordinance 828 adopted 4/26/2022)

§ 40-13. General Business District Two, GB-2.

- (a) Sale of alcoholic beverages. In a General Business District Two, GB-2, the following regulations will apply to the sale of alcoholic beverages, provided that a local option election has been passed. There will be no sale of alcoholic beverages in this district until such election has been held and passed. The following applies in a General Business District Two, GB-2:
- (1) A business that is permitted must have a retail on-premises consumption permit or license and less than 50 percent of the gross receipts for the premises is from the sale or service of alcoholic beverage (TABC regulatory and penal provisions, V.T.C.A., Alcoholic Beverage Code sec. 109.33(f)(1)). An example of this permitted use is a full service restaurant. Upon the restaurant's annual renewal of license, a prepared written audit and the license application will be presented to the building official prior to TABC renewal.
 - (2) A business that is permitted must have a retail off-premises consumption permit or license and less than 50 percent of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages (TABC regulatory and penal provisions, V.T.C.A., Alcoholic Beverage Code sec. 109.57(d)(2)). An example of this is a full service grocery store. Upon the store's annual renewal of license, a prepared written audit that shows that the gross sale of alcoholic beverages is less than 50 percent of the establishment's gross receipt and the license application will be presented to the building official prior to TABC renewal.
 - (3) No establishment will be permitted that derives 75 percent or more of the establishment's gross revenue from the on-premises sale of alcoholic beverage. (TABC regulatory and penal provisions, V.T.C.A., Alcoholic Beverage Code sec.

109.57(d)(2).) An example of this nonpermitted use is a public bar.

- (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.
- (5) Business or commercial schools.
- (6) Cleaning and laundry plant.
- (7) Day nursery.
- (8) Drive-in restaurants, bowling alley and other similar places of entertainment.
- (9) Drugstore.
- (10) Farm equipment sales and service.
- (11) Florist shop.
- (12) Fueling station.
- (13) Furniture store.
- (14) Grocery and convenience stores.
- (15) Greenhouses and retail nurseries.
- (16) Hardware stores, including the sale of building materials.
- (17) Machine or welding shop.
- (18) Medical outpatient clinics.
- (19) Hotels, motels, bed and breakfast.
- (20) Self-service laundries.
- (21) Nursing home.
- (22) Office buildings.
- (23) Personal service and neighborhood shops.

- (24) Pharmacies.
- (25) Printing and copying services.
- (26) Public utilities.
- (27) Radio and television broadcasting studios.
- (28) Repair facility 1.
- (29) Restaurants.
- (30) Recreational vehicle sales.
- (31) RV, boat and trailer storage (commercial).
- (32) Tool and equipment rental.
- (33) Video rental sales.

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 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) Height regulation. No building shall be less than ten feet or more than 45 feet in height.

(d) Yard requirements.

- (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. 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.
- (g) 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.
- (h) Lighting. No premises or parking area shall be lighted in such a manner as to provide direct glare into an adjoining residential district. All lighting in the GB-2 district shall be hooded or shielded so that the light source is not directly visible from residential areas and public street, to avoid a hazard.
- (i) Noise. Where a general business use abuts a residential district, noise shall not exceed the standards set forth in this subsection. Noise shall be measured at the common boundary of the General Business District Two, GB-2, and the residential district. Measurement of sound shall be done with an A-weighted filter constructed in accordance with the specifications of the American National Standards Institute. The maximum permitted sound levels measured in decibels for the Industrial District, I, abutting residential uses shall be 95 decibels.

(Ordinance 409, sec. XIIA, adopted 8/24/04; Ordinance 409-D, sec. 2.E, adopted 6/22/10; Ordinance 629, sec. II(C), adopted 1/14/14; Ordinance 650, sec. 2(B), adopted 7/22/14; Ordinance 828 adopted 4/26/2022)