

City of Granbury Zoning Ordinance
Article 4 – Permitted Uses
Section 4.1 Use of Buildings

City of Granbury Use Table																	
"P" Permitted Use, "S" Specific Use Permit Required "X" Prohibited																	
DISTRICTS	RESIDENTIAL											NON-RESIDENTIAL				SUPPLEMENTAL	
USES	IH	RE	R12	R10	R8.4	R-7	MD1	PH	TH	MF	MH	BC	LC	HC	I	CBD	STANDARDS
Retail, Services and Commercial																	
Bed and Breakfast , Hosted	S	S	S	S	S	S	x	x	x	x	x	P	P	P	P	P	2, 17
Short-term Rental (STR), Residential Unhosted	S	S	S	S	S	S	S	S	S	x	x	x	x	x	x	x	1, 18
Short-term Rental (STR), Commercial	x	x	x	x	x	x	x	x	x	x	x	P	P	P	x	P	2, 7

Section 4.2 Supplemental Standards For Land Uses

The following describe conditions and special regulations for uses listed in the Permitted Use Table. Additional requirements may be added, to these listed herein, by the Planning and Zoning Commission and City Council as deemed necessary to protect the health, safety, and general welfare of the citizens of Granbury. No construction or occupancy shall commence for any permitted use until the conditions herein stated or required by the Planning and Zoning Commission have been met.

1. A site plan will be required with Specific Use Permits in accordance with Section 11.1, SUP or "S"- Specific Use Permits.
2. A site plan in accordance with Section 11.11.D will be required for either “S” or “P” designation.
7. **Short-term Rental, Commercial**
 - a. All parking must be screened from the view of adjacent residentially zoned properties.
 - b. A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces, and emergency evacuation routes.
 - c. A permanent smoke alarm system meeting all city codes must be installed in accordance with NFPA 72.
 - d. Signage shall conform to Article 7 Sign Requirements.
 - e. No more than 7 bedrooms rented for compensation.

- f. Cooking and cooking facilities are prohibited in bedrooms, but are permitted in an area dedicated to kitchen uses.
 - g. Short-term Rental, Commercial are limited to the area shown in the Historic Preservation Overlay and Historic Compatibility Overlay Districts.
17. Bed and Breakfast, Hosted, are subject to the following conditions:
- a. The main dwelling must be occupied as a permanent residence by an owner or owner's agent who serves breakfast, and in which sleeping accommodations in not more than seven (7) bedrooms are provided or offered for occupants for a period of less than thirty (30) consecutive days and rented for compensation.
 - b. All parking must be screened from view of adjacent residentially zoned properties *for the purpose of screening the headlight "sweep" with an opaque screening device*. The maximum amount of paving for parking shall be that allowed in Article 11, no additional paving surface for parking is permitted.
 - c. Food service will be limited to overnight guests of the bed and breakfast, hosted establishment and shall be prepared on site, with the exception of receptions, retreats, teas and luncheons that may be catered.
 - d. Receptions, retreats, teas and luncheons in the RE, R-12, R-10, R-8.4, and R-7 residential districts are limited to no more than 50 guests.
 - e. The architecture of the structure and the grounds of the bed and breakfast, hosted must maintain the character of the neighborhood. If alternations are made, the exterior of the structure and the grounds must remain typical of the neighborhood and give no appearance of the business establishment within.
 - f. A permanent smoke alarm system meeting all city codes must be installed in accordance with NFPA 72.
 - g. Signage is limited to one sign per bed and breakfast, hosted, shall not exceed 7' in overall height, shall not exceed 18 square feet of advertising area per side, shall not be internally illuminated and shall not be located within any visibility triangle. Signs must be discreet and unobtrusive, must be architecturally compatible with the character of the neighborhood and must be approved by the Community Development Director. Signs consistent with commercial districts are not permitted. Signs may only contain the name of the bed and breakfast, owner's name and/or contact information. Sign requirements contained within this Section shall supersede requirements of Article 7 for a bed and breakfast, hosted operating in compliance with an active short-term rental permit or Certificate of Occupancy except for those bed and breakfast, hosted operating in the HPO. All signs within the HPO must obtain a Certificate of Appropriateness from the Historic Preservation Commission.
 - h. Any Specific Use Permit issued in conjunction with a short-term rental permit shall become void upon the expiration, non-renewal, termination, voluntary relinquishment or non-renewal of any related short-term rental permit.

- i. A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces, and emergency evacuation routes.
- j. No more than 7 bedrooms rented for compensation.
- k. Cooking and cooking facilities are prohibited in bedrooms, but are permitted in an area dedicated to kitchen uses.
- l. Bed and Breakfast, Hosted are limited to the area shown in the Historic Preservation Overlay and Historic Compatibility Overlay Districts.

18. Short-term rental, Residential Unhosted

- a. All parking must be screened from the view of adjacent residentially zoned properties for the purpose of screening the headlight “sweep” with an opaque screening device. The maximum amount of paving for parking shall be that allowed in Article 11, no additional paving surface for parking is permitted.
- b. Food service preparation will be limited to overnight guests of the short-term rental establishment.
- c. The architecture of the structure and the grounds of the short-term rental must maintain the character of the neighborhood. If alternations are made, the exterior of the structure and the grounds must remain typical of the neighborhood and give no appearance of the business establishment within.
- d. A permanent smoke alarm system meeting all city codes must be installed in accordance with NFPA 72.
- e. Signage is limited to one sign per bed and breakfast, shall not exceed 7’ in overall height, shall not exceed 18 square feet of advertising area per side, shall not be internally illuminated and shall not be located within any visibility triangle. Signs must be discreet and unobtrusive, must be architecturally compatible with the character of the neighborhood and must be approved by the Community Development Director. Signs consistent with commercial districts are not permitted. Signs may only contain the name of the bed and breakfast, owner’s name and/or contact information. Sign requirements contained within this Section shall supersede requirements of Article 7 for a short-term rental operating in compliance with an active short-term rental permit or Certificate of Occupancy except for those short-term rentals operating in the HPO. All signs within the HPO must obtain a Certificate of Appropriateness from the Historic Preservation Commission.
- f. If the short-term rental proposal is located in a single-family attached structure (MD-1 or TH), the site must be located within the Historic Overlays (HPO or HCO) and a letter of support from each adjoining property owner with a common wall shall be filed with the SUP application. If the applicant is not able to obtain a support letter from each adjoining property owner with a common wall, approval of the SUP shall require a $\frac{3}{4}$

vote by both the Planning & Zoning Commission and the City Council to approve the SUP.

g. Any Specific Use Permit issued in conjunction with a short-term rental permit shall become void upon the expiration, non-renewal, termination, voluntary relinquishment or non-renewal of any related short-term rental permit.

h. A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes.

i. No more than 3 bedrooms rented for compensation in the main dwelling.

j. Cooking and cooking facilities are prohibited in bedrooms, but are permitted in an area dedicated to kitchen uses.

k. Short-term rental, Residential Unhosted, are limited to the area shown in the Historic Preservation Overlay and Historic Compatibility Overlay Districts.

Article 11

Section 11.2 Off-Street Parking & Loading Requirements

11.2.D Parking Table

Land Use	Requirements	Additional Requirements
Bed and Breakfast, Hosted	1 space for each bedroom	2 <i>additional</i> spaces for owner or agent occupants
Short-term Rental, Commercial	1 space for each bedroom	2 <i>additional</i> spaces if site has on-site management
Short-term Rental, Residential Unhosted	1 space for each bedroom	For new construction of a residential use 2 spaces in conformance with Section 11.2.A.4.

Article 12

Section 12.3

12.3.A Permitted Uses Definitions

Bedroom(s) - The area of a dwelling intended as sleeping quarters. The term does not include a kitchen, dining room, bathroom, living room (as an example but not limited to: game room, sitting room, media room, multi-use room), utility room, or closet or storage area of a dwelling.

Bed and Breakfast, Hosted - A principal building used as a dwelling, occupied as a permanent residence by an owner or agent which serves breakfast and in which sleeping accommodations are provided or offered for occupants for a period of less than thirty (30) consecutive days and rented for compensation.

Short-term Rental (STR), Residential Unhosted – A residential principal building or portion thereof within the principal building and used for lodging accommodations for occupants for a period of less than thirty (30) consecutive days and rented for compensation.

Short-term Rental (STR), Commercial – A premise or portion thereof within a building and used for lodging accommodations for occupants for a period of less than thirty (30) consecutive days and rented for compensation.

City of Granbury Code of Ordinances

Chapter 4 – Business Regulations

Article 4.16 – Bed and Breakfast, Hosted and Short-term Rentals

Sec. 4.16.001 Purpose

The purpose of this article is to safeguard the life, health, safety, welfare, and property of the occupants of residential dwelling units, the neighbors of said occupants, and the general public, through the regulation of bed and breakfast, hosted and short-term rental residential property. The intent of this Chapter is to preserve the neighborhood character of residential subdivisions within the City of Granbury and to minimize adverse impacts to the housing supply caused by the conversion of residential units to tourist or transient use.

Sec. 4.16.002 Applicability

The provisions of this Chapter shall apply to all existing and future residential and commercial properties, both primary and accessory structures, and any portions thereof located within the City of Granbury.

Sec. 4.16.003 Definitions

Whenever used in this article, the following terms, as well as their singulars, plurals, and possessives, shall have the following definitions and meanings, unless the context of the sentence in which they are used indicates otherwise:

Advertise. The act of drawing the public’s attention to a short-term rental in order to promote the availability of the residence for use as a short-term rental. Said advertising may be found in any medium, including but not limited to, newspaper, magazine, brochure, website, or mobile application.

Bedroom. The area of a dwelling intended as sleeping quarters. The term does not include a kitchen, dining room, bathroom, living room (as an example but not limited to: game room, sitting room, media room, multi-use room), utility room, or closet or storage area of a dwelling.

Booking Service. Reservation and/or payment service provided by a person or entity that facilitates a short-term rental transaction between an Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the short-term rental transaction.

City. The City of Granbury, Texas

Hosting Platform. A person or entity that participates in the short-term rental business by providing, and collecting or receiving a fee for, Booking Services through which an Owner may offer the premises for an occupant on a short-term basis. Hosting Platforms usually, though not necessarily, provide Booking Services through an online platform that allows an Owner to advertise the premises through a website provided by the Hosting Platform and the Hosting Platform conducts a transaction by which potential occupants arrange their use and their payment, whether the would-be occupant pays rent directly to the Owner or to the Hosting Platform.

Occupant. Any individual person living, sleeping or possessing a building, or portion thereof. A person is not required to be paying rent, providing in-kind services, or named in any lease, contract or other legal document to be considered an occupant.

Owner. Any person, agent, operator, firm, trust, corporation, partnership, or any other legal entity who has a legal or equitable interest in the property; or who is recorded in the official records of the county as holding title to the property; or who otherwise has control of the property, including the guardian of the estate of any such person, and the executor of the estate of such person if ordered to take possession of real property by a court.

Premises. A property, a lot, plot or parcel of land, including any structures or portions of structures thereon.

Short-term Rental – Any of the following:

Bed and Breakfast, Hosted - A principal building used as a dwelling, occupied as a permanent residence by an owner or agent which serves breakfast and in which sleeping accommodations are provided or offered for occupants for a period of less than thirty (30) consecutive days and rented for compensation.

Short-term Rental Residential Unhosted – A residential principal building or portion thereof within the principal building and used for lodging accommodations for occupants for a period of less than thirty (30) consecutive days and rented for compensation.

Short-term Rental Commercial – A premise or portion thereof within a building and used for lodging accommodations for occupants for a period of less than thirty (30) consecutive days and rented for compensation.

Sec. 4.16.004 Unpermitted short-term rentals prohibited

It shall be unlawful for any owner or person to rent, lease, advertise, or otherwise permit or allow any residential premises to be operated or used as an unpermitted short-term rental.

Sec. 4.16.005 Short-term rental permit required

An owner who desires to use its premises as a short-term rental must have a valid, active short-term rental permit from the city prior to using, allowing the use of, or advertising the use of said premises as a short-term rental. Upon application to the City, a short-term rental permit shall be approved by the *City Manager*, or designee, if the application satisfies all the conditions of this Article, Chapter 11 of the City Code of Ordinances, and the City Zoning Ordinance. Any and all

conditions placed on an approved Specific Use Permit issued by the City Council shall be listed on the permit and shall be in full force upon the operation of the short-term rental.

Sec. 4.16.006 Short-term rental permit fee

The permit fee shall be as established in the City of Granbury Master Fee Schedule.

Sec. 4.16.007 Expiration of permit; renewals

A short-term rental permit shall expire one year after the date of issuance. No short-term rental permit may be renewed without a completed renewal application submitted by the owner and payment of the renewal fee. If the renewal application satisfies all the conditions of this Article and all other applicable City Code provisions, including the City Zoning Ordinance, and all conditions imposed by an approved Specific Use Permit, an application for the renewal of a short-term rental permit shall be approved by the City Manager, or designee. In the event that the permit is not renewed or is relinquished then the Specific Use Permit issued in accordance with this Section also becomes void.

Sec. 4.16.008 Application requirements

- A. Every complete application for a short-term rental permit shall include the following information:
 - 1) The name, address, contact information and authenticated signature for the owner of the premises;
 - 2) The name, address and contact information of the operator, agent if any, and designated local responsible party as required in Section 4.15.008;
 - 3) A site plan of the premises identifying the location of parking spaces to be used in conjunction with the short-term rental;
 - 4) A dimensioned floor plan of the proposed short-term rental identifying bedrooms, other living spaces and emergency evacuation routes;
 - 5) Proof of insurance as required in Section 4.15.008;
 - 6) The name and contact information for the property or homeowner association, if any, of which the premises is covered by the dedicatory instruments;
 - 7) A copy of the proposed host rules for the short-term rental; and
 - 8) Such certifications deemed necessary and proper to ensure compliance with this Article.

- B. An application for a short-term renewal permit may be filed beginning thirty (30) days prior to expiration of a current permit. Every complete application for a short-term rental renewal permit shall include updates, if any, to the information contained in the original permit application or any subsequent renewals. Changes from the original application may require an amendment to the approved Specific Use Permit, if applicable.

Sec. 4.16.009 Local responsible party required

An owner must designate the name and contact information of a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available to be reached in person or by phone at all times while occupants are on the premises of a short-term rental. If called, a local responsible party must be able to and shall be present at the premises within one (1) hour of call from *City Manager*, or his designee. A local responsible party must be authorized to make decisions regarding the premises and its occupants. A local

responsible party may be required to, and shall not refuse to, accept service of citation for any violations on the premises. Acceptance of service shall not act to release owner of any liability under this chapter.

Sec. 4.16.010 Proof of insurance required

It shall be unlawful for the owner of premises operating as a short-term rental to operate without host protection or other liability insurance commensurate with the operations of the short-term rental that provides coverage of up to \$1 million per occurrence. A certificate of insurance must be on file with the Administrator. Proof of insurance shall be required at the time of application and notice of cancelation of insurance must be made to the City Manager, or designee, within 30 days.

Sec. 4.16.011 Inspection required

No permit or renewal permit shall be approved for a short-term rental until the City has inspected the premises and found the premises to be compliant with minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, an annual inspection fee may be charged for each subsequent inspection in accordance with the City's adopted Master Fee Schedule as amended.

Sec. 4.16.012 Hotel occupancy taxes and request for occupancy history

It shall be unlawful for an owner of premises used for a short-term rental to fail to pay hotel occupancy taxes required under State law and the Taxation Chapter of the Granbury City Code. Upon request of the City Manager, or designee, the owner of a premises used as a short-term rental shall remit, within 30 days, an accounting of all occupants who rented the premises and the hotel occupancy taxes paid therefor. It shall be unlawful for a person to fail to provide said information requested in a timely manner.

Sec. 4.16.013 Short-term rental permit nontransferable

A short-term rental permit is non-transferable and shall not be assigned nor transferred to another person or entity. Any attempt to transfer a permit or attempt to use another person's permit may be grounds for revocation of said permit or approved Specific Use Permit, if applicable.

Sec. 4.16.014 Occupant Restrictions

- A. It shall be unlawful for an owner or person to rent, allow, provide, or advertise for more than two (2) persons per bedroom when using the premises as a short-term rental.
- B. Regardless of the number of bedrooms at the premises, it shall be unlawful for the owner or operator to allow or permit the number of occupants living, sleeping within or possessing a short-term rental to exceed the maximum occupancy shown on the short-term rental permit or renewal permit.

Sec. 4.16.015 Minimum stay required

It shall be unlawful for an owner to rent or lease a short-term rental for a period of less than 18 hours.

Sec. 4.16.016 Trash pickup requirements

No trash receptacle refuse, bin, container, or bag shall be placed on the curbside:

- a) Earlier than 7:00 PM the evening prior to the regularly scheduled pickup; or
- b) On a day not scheduled for pickup by the City or its authorized solid waste transportation vendor except as provide in Section 4.15.016 a) herein.

Sec. 4.16.017 Penalty

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of section 4.15.004 of this article shall be fined not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Chapter 6 Article 6.06 Smoking

Section 6.06.002 Definitions

Place of employment/workplace. Any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias and hallways. A private residence is not a place of employment unless it is used as a residential child-care, residential adult day-care, bed and breakfast, hosted; short-term rental residential unhosted; short-term rental commercial or health-care facility.

Sec. 6.06.003 Prohibition of smoking in public places

- (6) All enclosed areas available to and customarily used by the general public for public assembly or for all public businesses, including but not limited to: professional offices, banks, service waiting areas, laundromats, hotels, motels and bed and breakfast, hosted; short-term rental residential unhosted; short-term rental commercial establishments. Hotels and motels may allow for a percentage of rooms designated as smoking rooms as set forth in section 6.06.006(6).

Sec. 6.06.006 Exemptions from Prohibition

- (1) A private residence, unless it is used as a residential child-care or residential adult day-care facility, bed and breakfast, hosted; short-term rental residential unhosted; short-term rental commercial or health-care facility.
- (6) Hotel and motel rooms may be rented to guests which are designated as smoking rooms; provided, however, that no more than twenty percent (20%) of hotel and motel rooms rented to guests may be so designated. All smoking rooms on the same floor must be contiguous and smoke from these rooms must not infiltrate into areas where smoking is prohibited under the provisions of this article. The status of rooms as smoking or nonsmoking may not be changed, except to add additional nonsmoking rooms. The exemption does not apply to any bed and breakfast, hosted; short-term rental residential unhosted; short-term rental commercial.

Chapter 13

Sec. 13.04.001 Rates

(c) Commercial Rates.

Commercial customer defined as a single business or industrial unit, serviced by one or more water meters. This customer class includes but is not limited to: commercial establishments, restaurants, hotels, motels, bed and breakfast, hosted; short-term rental residential unhosted; short-term rental commercial establishments, short-term rentals and homeowners associations. In addition, multi-unit residential duplex, quadplex, triplex, trailer park, apartment complex, offices, or any other use where one or more unit is serviced by one water meter shall be considered “commercial” and shall be subject to the commercial minimums and rates.

Sec. 13.08.001 Rate Schedule

(1) Residential service.

(B) Applicability

- (ii) This rate is not applicable to service for resale, for service for hotels, motels, bed and breakfast, hosted; short-term rental residential unhosted; short-term rental commercial establishments, short-term rentals, rooming-houses, boarding houses, dormitories, apartments (complex meters), duplexes metered through one meter, or to premises used for other than residential purposes. The residential minimum and rate is, however, applicable to individual apartment units, metered via an individual meter.