

**ORDINANCE NO. 1596-10-2025**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO OPERATE A SHORT-TERM RENTAL (STR) LOCATED IN THE WHEELER CREEK ADDITION; BLOCK 23; LOT 1; COOKE COUNTY APPRAISAL DISTRICT PROPERTY ID 9948; COMMONLY KNOWN AS 317 WHEELER CREEK CT, GAINESVILLE, COOKE COUNTY, TEXAS.; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.**

**WHEREAS**, the Planning and Zoning Commission of the City of Gainesville, Texas, held a public hearing on September 09, 2025, following notices required by law for a Special Use Permit (SUP) for a Short-Term Rental (STR) located at 317 Wheeler Creek Ct, at which time all affected persons were given an opportunity to be heard; and

**WHEREAS**, public notice, as required by law, was given of the public hearing before the City Council of the City of Gainesville on this date for the SUP, at which time all persons present were given an opportunity to be heard; and

**WHEREAS**, the Planning and Zoning Commission of the City of Gainesville filed its report of the findings and unanimously recommends City Council grant the SUP; and

**WHEREAS**, the City Council of the City of Gainesville has duly considered the Planning and Zoning Commission report, findings, and recommendations;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS:**

That the City Council of the City of Gainesville has approved the request for a Special Use Permit (SUP) for a short-term rental (STR) in the Wheeler Creek Addition; Block 23; Lot 1 (PID) 9948; commonly known as 317 Wheeler Creek Ct and located in the Single Family (SF-2) zoning district within the city limits of Gainesville, Cooke County, Texas.

**SECTION ONE: ISSUANCE OF A SPECIAL USE PERMIT**

The City of Gainesville, Cooke County, Texas, shall hereby issue a Special Use Permit (SUP) to operate a Short-Term Rental (STR) located in the Wheeler Creek Addition; Block 23; Lot 1; (PID) 9948; commonly known as 317 Wheeler Creek Ct and located in the Single Family (SF-2) zoning district within the city limits of Gainesville, Cooke County, Texas. The property and structures shall be subject to all applicable Building Codes, Fire Codes, and any other applicable City Codes relating to property and the structures herein described. The SUP is subject to revocation upon sale of the property.

**SECTION TWO: EFFECTIVE DATE**

This ordinance shall be effective upon passage and publication.

**SECTION THREE: SEVERABILITY**

If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstance, if for any reason held to be unconstitutional, void,

or invalid (or for any reason unenforceable), the validity of the remaining portion of this Ordinance or its application to other person or sets of circumstances shall not be affected thereby, it being the intention of the City Council and of the Mayor of the City of Gainesville in adopting and approving this Ordinance, that no portion hereof or provision or regulation contained herein shall become inoperative or fail by an reason of any unconstitutionality or invalidity of any other portion, provision, or regulation.

**SECTION FOUR: OPEN MEETING FINDING**

That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

**INTRODUCTION, FIRST READING, CHARTER SUSPENSION:**

**INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 7<sup>th</sup> DAY OF OCTOBER 2025, AT WHICH THE CHARTER PROVISION OF THE CITY OF GAINESVILLE REQUIRING THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS WAS SUSPENDED BY A VOTE OF:**

7 AYES, 0 NAYS, 0 ABSENT, AND 0 ABSTENTIONS.

ATTEST:



DIANA LOCH, CITY SECRETARY



TOMMY MOORE, MAYOR

**ADOPTION**

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 7<sup>th</sup> DAY OF OCTOBER, 2025.**

7 AYES, 0 NAYS, 0 ABSENT, AND 0 ABSTENTIONS.

ATTEST:



DIANA LOCH, CITY SECRETARY



TOMMY MOORE, MAYOR

