

ORDINANCE NO. 1491
(Case 2025-015)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONHAM, TEXAS AMENDING EXHIBIT 14A (ZONING ORDINANCE) WITHIN THE BONHAM CODE OF ORDINANCES BY ADDING NEW AND AMENDING LAND USES, ASSOCIATED DEFINITIONS, AND SPECIAL USE PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A PENALTY CLAUSE; AND, PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Bonham, Texas (the "City Council") has previously adopted ordinances, rules and regulations governing building, subdivision, and zoning regulations in the City pursuant to Texas Local Government Code, Section 212.002 and Texas Transportation Code Section 311.001 to promote the health, safety, morals or general welfare of the municipality and the safe, orderly and healthful development of the municipality; and

WHEREAS, the Planning and Zoning Commission of the City and the City Council of the City of Bonham ("City Council") have given the requisite notices and have held the public hearings as required by law and afforded a full and fair hearing to all persons interested in and situated in the affected area and in the vicinity thereof, the City Council has concluded that the Exhibit 14A Zoning Ordinance of the City should be amended as set forth below.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BONHAM, TEXAS, THAT:

SECTION 1. RECITALS INCORPORATED. The above recitals are incorporated herein by reference for all purposes

SECTION 2. AMENDMENT TO THE BONHAM CODE. In accordance with Chapter 1, Article 1.01 of the Bonham Code of Ordinances ("Bonham Code"), the new amendments/sections to Exhibit 14A (Zoning Ordinance) are hereby amended as follows.

SECTION 3. AMENDMENTS. The Zoning Ordinance is hereby amended as follows:
(Additions are indicated in underlined text; deletions are indicated in ~~striketrough~~ text.)

1. Zoning Ordinance 14A Attachment 1, Appendix 1 "SCHEDULE OF USES" is hereby amended to add the following terms to read entirely as follows, and to be listed alphabetically with the other terms:

Table 3
Educational, Institutional, and Special Uses

TYPE OF USE	Note	AG	R	D	A-1	A-2	MH-1	MH-2	CBD	LR	LB	B	THOR	LI	HI	HC	FP	CC
<u>Food Truck Park</u>											<u>S</u>			<u>S</u>	<u>S</u>			<u>S</u>
Personal Services Shops									Y	Y	Y	Y	<u>Y</u>	<u>Y</u>		<u>Y</u>		Y
<u>Reception or Event Center, Indoor</u>		<u>Y</u>							<u>Y</u>		<u>S</u>		<u>Y</u>			<u>Y</u>		<u>S</u>
<u>Reception or Event Center, Outdoor</u>		<u>Y</u>							<u>S</u>		<u>S</u>		<u>S</u>			<u>S</u>		<u>S</u>

Table 6
Office, Retail, Commercial, & Service Uses

TYPE OF USE	Note	AG	R	D	A-1	A-2	MH-1	MH-2	CBD	LR	LB	B	THOR	LI	HI	HC	FP	CC
Arcade									S	S	S	S	S	S	S	<u>S</u>		
Bar (75% sales from alcohol)									<u>Y</u>							<u>Y</u>		
Brewpub/Wine Bar									<u>Y</u>		<u>S</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>		<u>S</u>
Tasting Room									<u>Y</u>		<u>S</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>		<u>S</u>

Table 8
Tourism, Entertainment, and Recreational Activities

TYPES OF USES ALLOWED IN POWDER CREEK DISTRICT (PCD)

Brewpub/Wine Bar

Tasting Room

Food Truck Park

Reception or Event Center, Indoor

Reception or Event Center, Outdoor

2. Zoning Ordinance 14A Attachment 2, Appendix 2 "DEFINITIONS ASSOICATED WITH SCHEDULE OF USES" is hereby amended to add the following terms and definitions to read entirely as follows, and to be listed alphabetically with the other terms: (Deletions are indicated in ~~strikethrough~~ text.)

Section 3 Educational, Institutional, and Special Uses.

Food Truck Park - An area designated for more than one (1) mobile vendor (e.g., food trucks) to park and sell food, beverages, and other retail items or services to patrons. This use may include any necessary electrical outlets, seating/dining areas, restroom facilities, and trash receptables needed for the food trucks' daily operations.

Personal Services Shops - and establishments primarily engaged in providing services generally involving the care of the person or such person's apparel, or rendering services to business establishments such as laundry or dry-cleaning retail outlets, portrait/photographic studios, beauty salons, massage spas, barber shops, employment service, travel consultant, health clubs, mailing or copy shops, or similar shop offering custom service.

~~Custom Personal Service Shop - Tailor, dressmaker, shoe repair, barber/beauty shop, health studio, travel consultant, or similar shop offering custom service.~~

~~Personal Service Shop - An establishment primarily engaged in providing services generally involving the care of the person or his apparel including but not limited to barber and beauty shops, dry cleaning and laundry pickup stations and reducing salons/health clubs.~~

Reception or Event Center, Indoor - A commercial or non-profit facility entirely enclosed within a building that can be rented to accommodate groups of people for entertainment, conferences, weddings, and similar activities.

Reception or Event Center, Outdoor - A commercial or non-profit facility that may have an indoor component, in combination with an outdoor space, that can be rented to accommodate groups of people for entertainment, weddings, and similar activities.

- i. No outdoor facilities shall be permitted within 500 feet of residential zones or uses; however, a reduction in this distance may be permitted with approval of a Specific Use Permit

Section 6 Retail and Service Type Uses

Bar (75% sales from alcohol) - An establishment that serves alcoholic beverages by the drink for on-site consumption and that derive seventy-five (75) percent or more of the gross revenue from the on-premise sale of alcoholic beverages.

Brewpub/Wine Bar - A restaurant or other facility that manufactures alcoholic beverages including but not limited to beer, wine, or liquor for either on-premises or off-premises retail and wholesale and consumption in quantities not considered industrial or large-scale production as determined by the City Manager or designee. The business must hold one of the following licenses or permits from the Texas Alcoholic Beverage Commission: Winery Permit (G) or Brewpub License (BP).

Tasting Room - A retail establishment associated with a brewery, brewpub, distillery, or winery for the sale of beer, wine, or liquors.

3. Zoning Ordinance 14A Article 11 "SPECIAL USES" is hereby amended to add Section 11.11 "Bar (75% Sales from Alcohol)" and Section 11.19 "Food Truck Park" to read entirely as follows:

§ 11.11 Bar (75% Sales from Alcohol) Separation Standard

- a. A bar may not be located closer than 250 feet to an existing bar.
 - (1) The measurement of the distance between those establishments shall be in a straight line in all directions from the primary entrance of the existing establishment to the primary entrance of the proposed establishment.
 - (2) For the purposes of this subsection, the term "existing bar" means an establishment that is in lawful operation or that holds a current and valid certificate of occupancy for that operation.

- b. Variances. After a recommendation from the Planning and Zoning Commission, City Council may grant a variance upon a determination that enforcement of the regulation in a particular instance:
 - (1) Is not in the best interest of the public,
 - (2) Constitutes waste or inefficient use of land or other resources,
 - (3) Creates an undue hardship on an applicant for a license or permit,
 - (4) Does not serve its intended purpose, or
 - (5) Is not effective or necessary.

§ 11.19 Food Truck Park

- a. All mobile vendors must have valid required health inspection permits.
- b. Adequate restroom facilities shall be provided either on-site or through a shared use agreement with a neighboring business. Portable toilets, if used, must be screened from view of the public per. Sec. 8.08 (Screening and Fencing).
- c. Electrical, water, and wastewater connections shall be provided.
- d. Above-ground utility connections shall not interfere with pedestrian or vehicular safety and shall not be located in customer service areas or customer parking lots.
- e. Food Truck Park sites shall be defined by curbs (i.e., continuous curb cuts are prohibited) to confine ingress and egress to defined access points to ensure the safety of pedestrians within the park.
- f. A barrier shall be located between any vehicular areas and the customer service areas. The barrier may be implied or physical and constructed with landscaping elements; gated fencing; changes in ground surface texture, material, or color; or similar treatments.
- g. Drive-throughs are not permitted in conjunction with a Food Truck Park.
- h. A waste receptacle is required for every mobile vendor and waste shall be removed daily.
- i. Food Truck Park sites shall only operate on an approved surface per Article 13 (Vehicle Parking Regulations).

SECTION 4. SAVINGS/REPEALING. All ordinances or parts of ordinances in force when

the provisions of this Ordinance become effective that are consistent and do not conflict with the terms and provisions of this Ordinance are hereby ratified to the extent of such consistency and lack of conflict and all provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

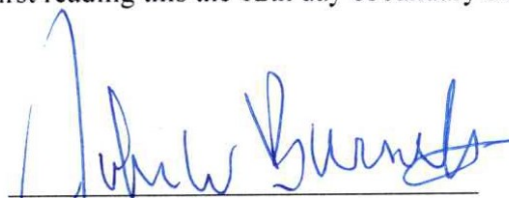
SECTION 5. PENALTY PROVISION. Any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply therewith or with any of the requirements thereof, shall be guilty of a misdemeanor, and shall be subject to fine of not more than two thousand (\$2,000.00) dollars, and each day such violation shall be permitted to continue shall constitute a separate offense. The owner or owners of any building or premises or part thereof, where anything in violation of the ordinance shall be placed, or shall exist, and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction thereof shall be fined as above provided. The City of Bonham retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6. SEVERABILITY. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining provisions of this Ordinance shall remain in full force and effect. The City of Bonham hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

SECTION 8. PROPER NOTICE AND MEETINGS. 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 meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on its first reading this the 12th day of January 2026.



John Burnett, Mayor

ATTEST:



Heather Stockton, City Secretary