

ORDINANCE NO. 1486
(Case 2025-012)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONHAM, TEXAS AMENDING GUEST HOUSE REQUIREMENTS UNDER APPENDIX 1 (SCHEDULE OF USES) AND DEFINITIONS UNDER APPENDIX 2 (DEFINITIONS ASSOCIATED WITH SCHEDULE OF USES) WITHIN EXHIBIT 14A (ZONING ORDINANCE) OF THE BONHAM CODE OF ORDINANCES; 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 the zoning in the City; and

WHEREAS, the Planning and Zoning Commission of the City and the 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.

(Additions are indicated in underlined (red) text; deletions are indicated in ~~striketrough~~ text.)

1. 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:

Section 1 Accessory Uses

- a. *Accessory Building or Use* - An accessory building or use is one which: (a) is subordinate to and serves a principal building or principal use; and (b) is subordinate in area, extent, or purpose to the principal building or principal use served; and (c) contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served; and (d) is located on the same building lot as the principal use served; and (e) shall be no larger than 80% of the primary residence gross floor area or 900 square feet, whichever is more restrictive.

[...]

Section 2 Residential Uses

[...]

h. Guest House - Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling. Maximum length of stay for a temporary guest shall be six (6) months and allow for extensions with approval from City Council. Guest House with kitchen facilities (any lot with at least 20,000 sq. ft. buildable area) shall provide two (2) additional off-street parking spaces.

[...]

2. Zoning Ordinance 14A Attachment 3, NOTES TO AREA REGULATIONS are hereby amended as follows:

[...]

3. Special Side Yard Regulations

[...]

- c. Accessory structures, with the exception of a Guest House, are required to have a 5-foot side yard setback ~~and rear yard setback.~~ A Guest House is required to have a 15-foot side yard setback.

[...]

4. Special Rear Yard Regulations

[...]

- c. Accessory structure shall have a minimum rear yard setback of 5 feet, except for a Guest House. Guest House is required to have a 15-foot rear yard setback. Structures attached to the main structure, such as garages and carports, are considered to be part of the main structure, and are not considered to be accessory structures.
- d. The minimum distance from the public right-of-way to the entrance of a garage or carport shall be ~~15 feet~~ 20 feet.

[...]

5. Special Height Regulations

[...]

d. Accessory structures, to include a guest house, shall have a maximum height of 1-story/15-feet with the exception of a guest house above a detached garage.

[...]

3. Zoning Ordinance 14A Attachment 3, **YARD AND HEIGHT REGULATIONS ACCESSORY BUILDINGS** are hereby amended as follows:

[...]

2. Accessory buildings, apart from a Guest House, shall not be located closer than 5 feet to any side or rear lot line.

[...]

SECTION 3. 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 4. 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 5. 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 6. EFFECTIVE DATE. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

SECTION 7. 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 1st day of December 2025.

- H.L. Compton
H.L. Compton, Mayor

ATTEST:

Heather Stockton
Heather Stockton, City Secretary