

**ORDINANCE NO. 3824  
ZONING CASE TR23-01**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS BY AMENDING CHAPTER 118, ARTICLE IV, DIVISION 7, OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES AS THEY PERTAIN TO BUILDING HEIGHT AND FENCING STANDARDS IN THE OC (OUTDOOR COMMERCIAL) ZONING DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; ESTABLISHING A PENALTY; PROVIDING FOR SAVINGS; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the City of North Richland Hills, Texas is a home-rule municipality located in Tarrant County, Texas acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS,** the Zoning Ordinance of the City of North Richland Hills regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

**WHEREAS,** the City Council desires to amend certain portions of the Zoning Ordinance regarding building height and fencing standards in the OC (Outdoor Commercial) zoning district; and

**WHEREAS,** the Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on October 19, 2023, and the City Council of the City of North Richland Hills, Texas, held a public hearing on November 13, 2023, with respect to the zoning amendment described herein; and

**WHEREAS,** the City has complied with all requirements of Chapter 211 of the Local Government Code, the Zoning Ordinance of the City of North Richland Hills, and all other laws dealing with notice, publication, and procedural requirements for rezoning the Property; and

**WHEREAS,** the City Council has determined that the proposed ordinance amendment promotes the health, safety, morals, and the general welfare within the City of North Richland Hills and is in the best interest of the City of North Richland Hills;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:**

**SECTION 1:** That the Comprehensive Zoning Ordinance and Code of Ordinances of the City of North Richland Hills be amended by revising Section 118-394 - “Lot and area requirements” as it pertains to the OC (Outdoor Commercial) zoning district to revise sub-subsection (10) “Max. Height of structures” to read as follows:

“ ...

**Sec. 118-394. – Lot and area requirements**

...

(10) 1.5 ft./1 ft.<sup>4</sup>

...”

**SECTION 2:** That the Comprehensive Zoning Ordinance and Code of Ordinances of the City of North Richland Hills be amended by revising Section 118-395 “General conditions” to revise sub-subsection (1) *Fences* to read as follows:

“ ...

**Sec. 118-395. – General conditions.**

...

(1) *Fences.*

- a. In the O-1, LR, C-1, and C-2 districts, see article VIII, screening and fencing regulations for fencing requirements.
- b. In the OC district, the requirements of article VIII, screening and fencing regulations apply. In addition, an amusement park or theme park may construct perimeter fencing around the park. The perimeter fencing may be located on the property line and may be located within the front yard. If a landscape setback is required along a street, the perimeter fencing may be located within the required landscape setback, but must be behind the required landscaping.

...”

**SECTION 3:** This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of North Richland Hills, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 4:** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

**SECTION 5:** Any person, firm or corporation violating any provision of the Zoning Ordinance and the zoning map of the City of North Richland Hills as amended hereby shall be deemed guilty of a misdemeanor and upon final conviction thereof fined in an amount not to exceed Two Thousand Dollars (\$2,000.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and punishable hereunder.

**SECTION 6:** All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7:** The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance.

**SECTION 8:** This ordinance shall be in full force and effect immediately following publication as required by Section 7 hereof.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** on this 13th day of November, 2023.

**CITY OF NORTH RICHLAND HILLS**

By: \_\_\_\_\_  
Oscar Trevino, Mayor

**ATTEST:**

\_\_\_\_\_  
Alicia Richardson  
City Secretary/Chief Governance Officer

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Maleshia B. McGinnis, City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Clayton Comstock, Director of Planning