

**ORDINANCE NO. 3907
ZONING CASE TR25-02**

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS BY AMENDING SECTIONS 118-1 (DEFINITIONS), 118-631 (TABLE OF PERMITTED USES), 118-633 (LEGEND FOR SECTION 118-631), AND 118-833 (SCHEDULE OF MINIMUM NUMBER OF PARKING SPACES) OF CHAPTER 118 (ZONING) OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES AS THEY PERTAIN TO DATA CENTER, GENERAL AND DATA CENTER, SMALL-SCALE; 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 data centers; and

WHEREAS, the Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on May 15, 2025, and the City Council of the City of North Richland Hills, Texas, held a public hearing on June 9, 2025, 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 amending the Zoning Ordinance; 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, THAT:

SECTION 1: The Comprehensive Zoning Ordinance and Code of Ordinances, City of North Richland Hills, Texas, be amended by amending Section 118-1 – “Definitions” of Chapter 118 of the Code of Ordinances, City of North Richland Hills, Texas, to add the following definitions:

“ ...

Data Center, General. A building or group of buildings in excess of 10,000 total square feet primarily used to house computers and/or related equipment for the purpose of collection, storage, management, processing, or retrieval and distribution of digital data, which houses computer and/or network equipment, systems, servers, appliances, and other associated components related to computing and digital data operations.

Data Center, Small-scale. A building or group of buildings not to exceed 10,000 total square feet primarily used to house computers and/or related equipment for the purpose of collection, storage, management, processing, or retrieval and distribution of digital data, which houses computer and/or network equipment, systems, servers, appliances, and other associated components related to computing and digital data operations.

...”

SECTION 2: The Comprehensive Zoning Ordinance and Code of Ordinances, City of North Richland Hills, Texas be amended by adding the “Data Center, General” and “Data Center, Small-scale” land uses to Section 118-631(a) – “Table of permitted uses” and Section 118-631(b) – “Special land use regulations” of Chapter 118 of the Code of Ordinances, City of North Richland Hills, Texas, as shown on **Exhibit “A”** attached hereto and incorporated for all purposes.

SECTION 3: The Comprehensive Zoning Ordinance and Code of Ordinances, City of North Richland Hills, Texas, be amended by adding the following to Section 118-633 - “Legend for section 118-631; special land use regulations” of Chapter 118 of the Code of Ordinances, City of North Richland Hills, Texas, to read as follows.

“ ...

(30) Data Centers, both general and small-scale, must comply with the following standards:

- a. General criteria. All equipment for cooling, ventilation, or otherwise operating the facility – including generators or other power supply equipment – must be fully enclosed, except with determined by the City Manager or designee not to be mechanically feasible. If determined that full enclosure is not mechanically feasible, all equipment for cooling, ventilation, or power generation must be screened by a wall or similar barrier and be located no closer than 100’ from the nearest residential property.
- b. Generators.
 1. If generators are installed onsite, any regular testing must be conducted between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday, or between 10:00 a.m. and 5:00 p.m on Saturday or Sunday.
 2. If fuel is stored onsite for generator usage, compliance with all applicable fire and/or building codes, as amended, shall be required.

...”

SECTION 4: The Comprehensive Zoning Ordinance and Code of Ordinances, City of North Richland Hills, Texas be amended by amending the following to within Section 118-833 – “Schedule of minimum number of parking spaces” of Chapter 118 of the Code of Ordinances, City of North Richland Hills, Texas, to read as follows:

“ ...

	Use	Number of Spaces	Required for Each	Additional Requirements
10.	STORAGE			
	e. Data Center, general or small-scale	1	350 square feet of gross floor area devoted to office uses	Plus one additional parking space for each 5,000 square feet of gross floor area devoted to other uses.

...”

SECTION 5: This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, 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 6: 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 7: 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 shall be punishable hereunder.

SECTION 8: 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 9: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this Ordinance as required by law, if applicable.

SECTION 10: This Ordinance shall be in full force and effect upon publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on the 9th day of June, 2025.

CITY OF NORTH RICHLAND HILLS

By: _____
Jack McCarty, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Bradley A. Anderle, City Attorney

APPROVED AS TO CONTENT:

Cori Reaume, Director of Planning

EXHIBIT A

[#] = Conditions. Reference Section 118-633 for specific conditions to listed uses. P = Permitted by Right S = Special Use Permit Required [Blank] = Not Permitted NP = Not Permitted B = Defers to Base Zoning District A = Ancillary	SECTION 118-631: TABLE OF PERMITTED USES																						
	Conditions	RESIDENTIAL DISTRICTS									NON-RESIDENTIAL DISTRICTS								TOWN CENTER				Freeway
		R-1-S	R-1	R-2	R-3	R-4-D	R-6-T	R-8	MH-1	R7MF	O-1	LR	C-1	C-2	OC	I-1	I-2	U	AG	Edge	General	Center	
H. COMMERCIAL USES																							
Data Center, General	30												S		P	P							
Data Center, Small-Scale	30											S	P		P	P							