

**ORDINANCE NO. 3435  
SUP 2016-04**

**AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS,  
AMENDING THE ZONING ORDINANCE OF THE CITY OF NORTH  
RICHLAND HILLS BY APPROVING A SPECIAL USE PERMIT TO  
AUTHORIZE LOADING DOCKS AND DELIVERY ENTRANCES FACING  
A PUBLIC STREET ON 5.11 ACRES LOCATED AT 8479 DAVIS  
BOULEVARD; ESTABLISHING A PENALTY; 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,** Section 118-871(I) of the Zoning Ordinance of the City of North Richland Hills requires the issuance of a Special Use Permit for any loading dock and delivery entrance facing a public street; and

**WHEREAS,** the owner of the property located at 8479 Davis Boulevard has filed an application for a Special Use Permit to establish a loading dock and delivery entrance facing a public street on the property; and

**WHEREAS,** the Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on October 20, 2016, and the City Council of the City of North Richland Hills, Texas, held a public hearing on November 14, 2016 with respect to the Special Use Permit 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 the approval of a Special Use Permit on the property; and

**WHEREAS,** upon review of the application, and after such public hearing, the City Council finds that granting the request herein furthers the purpose of zoning as set forth in the Zoning Ordinance of the City of North Richland Hills and that the Special Use Permit should be granted, subject to the conditions imposed herein.

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

Section 1: That the Zoning Ordinance of the City of North Richland Hills is hereby amended by approving a special use permit to authorize a loading dock and delivery entrance to be operated on Lot 2R3, Block 5, Brentwood Estates, North Richland Hills, Tarrant County, Texas, commonly referred to as 8479 Davis Boulevard.

Section 2: The City Council finds that the information submitted by the applicant pursuant to the requirements of the Zoning Ordinance is sufficient to approve the Special Use Permit in accordance with the requirements hereof, subject to the following conditions:

1. *Permitted use.* A special use permit is authorized to permit the loading areas for two buildings to face Shady Grove Road, as shown in Exhibit "A."
2. *Landscaping improvements.* The buffer yard adjacent to Shady Grove Road must conform to the landscape plan as shown in Exhibit "A."
3. *Overhead door standards.* A building may have a maximum of two overhead doors facing Shady Grove Road. The overhead doors must not exceed ten feet in height.

Section 3: That the official map of the City of North Richland Hills is amended and the Planning Manager is directed to revise the official zoning map to reflect the approved special use permit, as set forth above.

Section 4: The use of the property described above shall be subject to all applicable regulations contained in the Building and Land Use Regulations and all other applicable and pertinent ordinances of the City of North Richland Hills.

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

Section 7: This ordinance shall be in full force and effect immediately following publication as required by Section 6 hereof.

**AND IT IS SO ORDAINED.**

PASSED AND APPROVED on the 14th day of November, 2016.

**CITY OF NORTH RICHLAND HILLS**

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

ATTEST:

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Alicia Richardson, City Secretary

Approved as to form and legality:

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Maleshia Farmer, City Attorney

Approved at to content:

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Clayton Comstock, Planning Manager