

**ORDINANCE NO. 3941
ZONING CASE TR25-08**

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS BY AMENDING SECTION 118-153 (NONCONFORMING USES) OF CHAPTER 118 (ZONING) OF THE CODE OF ORDINANCES, NORTH RICHLAND HILLS, TEXAS AS IT PERTAINS TO NONCONFORMITIES CREATED OR ENLARGED BY ENCLOSURE OF A GARAGE; 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 garage enclosures; and

WHEREAS, the Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on October 16, 2025, which was continued to November 6, 2025, and the City Council of the City of North Richland Hills, Texas, held a public hearing on December 8, 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 the Code of Ordinances, City of North Richland Hills, Texas, be amended by amending Section 118-153 – “Nonconforming uses” of Chapter 118 of the Code of Ordinances, City of North Richland Hills, Texas, to amend and replace subsection (e) as shown below:

“ ...

(e) Repairs and alterations. Repairs and alterations may be made to an undamaged nonconforming building or structure; provided, however, no structural alterations shall be made except those required by law or ordinance, unless the building is changed to a conforming use; and provided that no additional dwelling units shall be added where the nonconforming use results from there being more dwelling units on the lot than is permissible in the district in which the building is located. No enlargement or extension of a nonconforming use shall take place except as the zoning board of adjustment may grant, as a special exception, an application to extend or enlarge a building occupied by a nonconforming use or that portion of the lot occupied by such use, provided such grant does not serve to prevent the return of such property to a conforming use.

(1) For homes permitted for construction on or before November 22, 1999, a reduction in the number of covered and enclosed parking spaces shall not be deemed to create or enlarge a nonconformity under this section, and a garage enclosure may be permitted for such homes, provided the site provides paved parking that is compliant with the city’s development standards outlined in this Chapter and covers sufficient area to accommodate a minimum of two parking spaces. Parking space calculation for this purpose shall be determined by the City’s Schedule of minimum parking and maneuvering dimensions.

...”

SECTION 2: 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 3: 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 4: 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 is punishable hereunder.

SECTION 5: 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 6: 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 7: 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 8th day of December, 2025.

CITY OF NORTH RICHLAND HILLS

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