

**ORDINANCE NO. 3965
ZONING CASE TR26-04**

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS BY AMENDING SECTIONS 118-631 (TABLE OF PERMITTED USES) OF CHAPTER 118 (ZONING) OF THE CODE OF ORDINANCES, CITY OF NORTH RICHLAND HILLS, TEXAS, 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 City Council finds that as data centers have become more widespread, especially in Texas and throughout DFW, it has become apparent that there are some factors that make it difficult to establish a core set of regulations related to data center operations; and

WHEREAS, the City Council finds that, while some traditional land uses align well with a fixed set of regulatory criteria, data center technology and construction methods are evolving at such a rapid pace that we must consider other options at this time; and

WHEREAS, the City Council finds that certain neighborhood impacts such as proximity to residential zones or uses, ambient sound levels, cooling system infrastructure, and any site-specific testing or monitoring requires specialized oversight; and

WHEREAS, the Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on July 20, 2026, and the City Council of the

City of North Richland Hills, Texas, held a public hearing on July 27, 2026, 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, shall be amended by modifying the “Data Center, General” and “Data Center, Small-scale” land uses to Section 118-631(a) – “Table of permitted uses” 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 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 27th day of July, 2026.

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	Core
H. COMMERCIAL USES																								
Data Center, General	30												S		S	S								
Data Center, Small-Scale	30											S	S		S	S								