

ORDINANCE NO. ****
ZONING CASE TR25-04

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), AND 118-633 (LEGEND FOR SECTION 118-631) OF CHAPTER 118 (ZONING) OF THE NORTH RICHLAND HILLS CODE OF ORDINANCES AS THEY PERTAIN TO SHORT TERM RENTALS; 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 September 4, 2025, and the City Council of the City of North Richland Hills, Texas, held a public hearing on September 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: Section 118-1 – “Definitions” of Chapter 118 of the Comprehensive Zoning Ordinance and the Code of Ordinances, City of North Richland Hills, Texas, be amended to add the following definitions:

“*Short-term rental (STR)* means a dwelling that is:

- (1) Used or designated to be used for residential purposes, including a single-family residence or a unit in a multi-family residential building;
- (2) Rented wholly or partly for a fee; and
- (3) Rented for periods of less than 30 consecutive days.”

SECTION 2: Section 118-631(a) of Chapter 118 of the Comprehensive Zoning Ordinance and the Code of Ordinances, City of North Richland Hills, Texas be amended by adding the “Short-term rental” land use to the table of permitted uses and indicating permitted districts as follows:

		SECTION 118-631: TABLE OF PERMITTED USES																					
[#] = 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	Conditions	RESIDENTIAL DISTRICTS								NON-RESIDENTIAL DISTRICTS								TOWN CENTER					
		RE-1 & RE-2	R-1	R-2	R-3	R-4-D	R-6-T	R-8	MH-1	R7-MF	O-1	LR	C-1	C-2	OC	I-1	I-2	U	AG	TC-Edge	TC-General	TC-Center	TC-Core
H. COMMERCIAL USES																							
Short-term rental	31								P			P	P									P	P

SECTION 3: Section 118-631(b) – “Special land use regulations,” of Chapter 118 of the Comprehensive Zoning Ordinance and the Code of Ordinances, City of North Richland Hills, Texas, shall be amended to read as follows:

“(b) Special land use regulations. Special land use regulations referenced under “Conditions” in the table of permitted uses shall comply with those requirements established in section 118-633.”

SECTION 4: Section 118-633 – “Legend for section 118-631; special land use regulations” of Chapter 118 of the Comprehensive Zoning Ordinance and the Code of Ordinances, City of North Richland Hills, Texas, be amended by adding a new subsection (31) to set forth special land use regulations for short term rentals to read as follows:

“(31) Short term rentals must comply with the following standards:

- a. General criteria. All short-term rental uses must comply with the requirements and regulations set forth in Article XII, Chapter 18 of this code.
- b. Multifamily short-term rentals. Short-term rental use in a multi-family residential building is only allowed in a complex with at least fifty (50) units and is limited to no more than five percent (5%) of the total units in the complex.
- c. Special Exception. A short-term rental use that would exceed the density limitation of subsection (b), a property owner may apply to the zoning board of adjustment for a special exception in accordance with Division 2, Article II, Chapter 118 of this code. The board may consider factors such as the following:
 - 1. Whether operation as a short-term rental in excess of the density limitation will adversely impact the neighborhood in which the property is located, including whether it will negatively impact the residential nature of the neighborhood;
 - 2. Whether such operation is likely to disrupt adjacent residents' right to the quiet enjoyment of their property (for example, is noise likely to affect neighboring residents);
 - 3. Whether such operation will substantially impact nearby streets or traffic, including whether the property has limited parking; and
 - 4. Whether other short-term rentals in excess of the density limitation are already operating in that multi-family residential building.
- d. Continuance of Operation. For properties located in zoning districts where short-term rental uses are not permitted by right, the owner of a property used as a short-term rental prior to September 8, 2025, that is able to come into compliance with the requirements of Article XII, Chapter 18 of this code, including obtaining a permit and paying all hotel occupancy taxes owed for the property, within ninety (90) days of September 8, 2025, may continue to operate so long as the owner maintains compliance with all the requirements of Article XII, Chapter 18 of this code.
- e. Discontinuance of Operations.
 - 1. The owner of a property used as a short-term rental who is unable, fails, or refuses to timely obtain a permit for operation as a short-

term rental pursuant to subsection d., shall discontinue the short-term rental use within ninety (90) days of September 8, 2025, or thirty (30) days from the notice of permit denial, whichever is later.

2. All short-term rental uses located in zoning districts where short-term rentals uses are not permitted by right and issued a permit under Article XII, Chapter 18 of this code shall discontinue the short-term rental use within thirty (30) days after the revocation or denial of the renewal of the short-term rental permit. A short-term rental use that is discontinued under this subsection shall not be resumed.
3. All short-term rental uses located in zoning districts where short-term rental uses are not permitted by right shall be subject to the abandonment provisions contained in Section 118-153(i) of this code. A short-term rental use abandoned under this subsection shall immediately discontinue the short-term rental use upon the effective date of the abandonment. A short-term rental use that is abandoned under this subsection shall not be resumed.”

SECTION 5: 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 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 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 8th day of September, 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