

**ORDINANCE NO. 3841
ZONING CASE ZC24-0093**

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, AND THE ZONING MAP OF THE CITY OF NORTH RICHLAND HILLS, TEXAS BY AMENDING PLANNED DEVELOPMENT 36 OF THE CITY OF NORTH RICHLAND HILLS FOR THE PURPOSE OF INCORPORATING PREVIOUSLY APPROVED SITE PLANS AND APPROVING A NEW SITE PLAN FOR LOTS 1A1, 1B, 1C, 2R1, 2R2, 3, 4, 5, 6R, AND 7R, BLOCK 1, WAL-MART ADDITION, LOCATED IN THE 9000-9100 BLOCKS OF NORTH TARRANT PARKWAY, INCLUDING ADJACENT PARCELS ON DAVIS BOULEVARD AND PRECINCT LINE ROAD; 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 has previously passed an ordinance adopting the Vision2030 Land Use Plan as the primary document on which to base all zoning, platting, and other land use decisions; and

WHEREAS, the Vision2030 Land Use Plan map provides guidance for future development in conformance with the adopted Vision2030 Land Use Plan; and

WHEREAS, the City Council of the City of North Richland Hills previously approved Planned Development 36; and

WHEREAS, Planned Development 36 requires Planning and Zoning Commission and City Council approval of all site plans for development on the property within the zoning district; and

WHEREAS, the City Council previously approved several site plans for the development on the property within the zoning district; and

WHEREAS, the City Council desires to consolidate all previously approved site plans into one ordinance; and

WHEREAS, the owner of Lot 1A, Block 1, Wal-mart Addition, a portion of Planned Development 36, has requested approval of a site plan for the development of a portion of the property; and

WHEREAS, the Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on February 15, 2024, and the City Council of the City of North Richland Hills, Texas, held a public hearing on February 26, 2024, with respect to the zoning change 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 rezoning 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 zoning change 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 and Planned Development 36 of the City of North Richland Hills are hereby revised to incorporate all site plans and development regulations found in Ordinance Numbers 2548, 2634, 2635, 2710, 2780, 3041, 3395, 3408, and 3418 for Lots 1A, 1B, 2, 3, 4, 5, 6R, and 7R, Block 1, Wal-Mart Addition in the City of North Richland Hills, Tarrant County, Texas, located in the 9000-9100 blocks of North Tarrant Parkway, including adjacent parcels on Davis Boulevard and Precinct Line Road, into this Ordinance with the site plans for those ordinances attached hereto as **Exhibits “A” through “J”** and incorporated herein.

SECTION 2: The Zoning Ordinance of the City of North Richland Hills and Planned Development 36 of the City of North Richland Hills are hereby revised for

the purpose of approving a revised site plan attached hereto as **Exhibit “K,”** for Lots 1A1, 1B, 1C, 2R1, 2R2, 3, 4, 5, 6R, and 7R, Block 1, Wal-Mart Addition in the City of North Richland Hills, Tarrant County, Texas, located in the 9000-9100 blocks of North Tarrant Parkway, including adjacent parcels on Davis Boulevard and Precinct Line Road for the purposes of new construction of a heliport/landing pad for a drone delivery service on Lot 1A.

SECTION 3: The City Council finds that the information submitted by the applicant pursuant to the requirements of the Zoning Ordinance and Planned Development 36 is sufficient to approve the revised site plan attached hereto as **Exhibit “K”** and incorporated for all purposes.

SECTION 4: That the official zoning map of the City of North Richland Hills is amended and the Director of Planning is directed to revise the official zoning map to reflect the approved Planned Development 36, as set forth above.

SECTION 5: The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in the Planned Development 36 and the Site Plans attached as **Exhibits “A” through “K”**. Unless otherwise provided in **Exhibits “A” through “K”** the Property shall be governed by 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. Furthermore, the permitted uses and development regulations originally adopted by Ordinance 2548 for this planned development district shall remain as follows:

1. Permitted Uses

- A. Retail/Grocery center including garden center, automobile servicing, fuel sales, outdoor display and storage constructed in accordance with the site plan and building elevations attached as Exhibit A.
- B. Retail, Office, and Commercial Uses permitted in the C-1 (Commercial) zoning district as provided in the table of permitted uses. Prior to the issuance of a building permit for any new development, a site plan for each development shall be submitted to the Planning and Zoning Commission for review and comment and forwarded to the City Council for consideration.

2. Hours of Operation for Home Improvement Center: 24 hours a day, 365 days a year.

3. All exterior lighting shall be limited to a maximum of 400 watt fixtures.

SECTION 6: 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 7: The zoning district as herein established has been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 8: 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 9: 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 10: 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 11: 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 12: The City Secretary is hereby authorized and directed to cause the publication of the descriptive caption and penalty clause of this ordinance.

SECTION 13: This ordinance shall be in full force and effect immediately following publication as required by Section 12 hereof.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 26th day of February, 2024.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Cara Leahy White, Interim City Attorney

APPROVED AS TO CONTENT:

Clayton Comstock, Director of Planning