

**ORDINANCE NO. 3948
ZONING CASE TR25-07**

**AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING
ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS BY
AMENDING SECTIONS 118-1, "DEFINITIONS," AND 118-613,
"REAR YARD REGULATIONS," TO PROVIDE A DEFINITION FOR
USABLE EXCESS YARD AREA, AND TO MODIFY REAR YARD
OPEN SPACE REQUIREMENTS; 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 Planning and Zoning Commission of the City of North Richland Hills, Texas held a public hearing on December 4, 2025 which was continued to January 15, 2026 , and the City Council of the City of North Richland Hills, Texas, held a public hearing on February 9, 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 rezoning the Property; 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:

"Usable Excess Yard Area means any open space within the front or side yard beyond the minimum required setbacks. "

SECTION 2: That the Comprehensive Zoning Ordinance and Code of Ordinances of the City of North Richland Hills be amended by revising Section 118-613 - "Rear Yard Regulations" to add:

"..."

(5) To encourage flexibility in site design, usable excess yard area may be credited against the required rear yard open space on an equivalent square footage basis. This credit shall not permit the reduction of the rear yard open space to an area smaller than ten percent (10%) of the total lot area, nor should it be construed in any way to have the ability to reduce any required setback.

"..."

SECTION 3: 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 4: 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 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 is punishable hereunder.

SECTION 6: 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 7: 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 8: This Ordinance shall be in full force and effect upon publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 9th day of February, 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