

Exhibit B – Land Use and Development Regulations – Ordinance No. XXXX – Page 1 of 6

Zoning Case ZC21-0015
Lot 3, Block 1, Richland Terrace Addition
7601 Boulevard 26, North Richland Hills, Texas

This Nonresidential Planned Development (NR-PD) District must adhere to all the conditions of the North Richland Hills Code of Ordinances, as amended, and adopt a base district of C-2 (Commercial). The following regulations are specific to this NR-PD district. Where these regulations conflict with or overlap another ordinance, easement, covenant or deed restriction, the more stringent restriction will prevail.

- A. *Purpose and Intent.* The purpose of this Nonresidential Planned Development zoning district is to permit the adaptive reuse of a 76,850 square foot big box retail building by internally subdividing it into smaller lease spaces intended for a diverse mix of small businesses to utilize for e-commerce, business logistics, crafting and assembling products for sale online, light manufacturing, product repair and servicing, wholesale distribution, and ancillary warehousing associated with the primary uses permitted by this district. All uses are intended to be conducted within the building and without any outside storage or display. Access to the building is intended to be limited to tenants, their employees, delivery carriers, and appointment-only customers. The building is not intended to be open to the general public.
- B. *Definitions.* This section defines the general use categories and specific use types listed in the table of permitted uses below. For uses not defined, refer to Section 118-1 of the Zoning Chapter of the Code of Ordinances.
 1. *Artisanal food production.* Food products that are produced by non-industrialized methods in small batches or limited quantities. Production is typically hand-crafted or made using traditional methods. Products generally include bread and baked goods; cheese; cured meats; oils and vinegars; coffee beans; ice cream; jams, chutneys, and fruit preserves; and pickled vegetables.
 2. *Contractor's office with shop and garage.* A facility or area for the storage and maintenance of contractor's supplies and operational equipment in association with conventional business office activities.
 3. *Custom and craft work.* A facility or area in which finished, personal, or household items that are either made to order or that involve considerable handwork are produced. Examples include but are not limited to textiles, pottery, furniture repair or refinishing, wood working, upholstery, sculpting, and other work or wood products on an individualized single item basis. Cabinet or woodworking shops are not included in this definition. The use of mechanized assembly line production is excluded from this definition.
 4. *E-Commerce retail sales.* The buying and selling of goods and services over the Internet. Establishments are designed to receive, warehouse, and ship merchandise from and to online clients. Establishments do not facilitate or attract walk-in customers and do not have displays of merchandise. Some establishments may further provide after-sales services, such as repair and installation services.

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5. *Fleet or delivery vehicles.* A group of motor vehicles owned or leased by a business or other organization, rather than a private individual, for the purpose of transporting people or goods for the delivery of products or services.
6. *Light manufacturing & product assembly.* Product assembly and light manufacturing of commodities (including electronics) in a fully enclosed building without producing any noxious odors, gas, or other pollutants. This category includes workshops and studios for cottage industries such as pottery, glass-blowing, metal working, screen printing, weaving, and similar craft activities.
7. *Machine shop.* A light manufacturing operation where material is processed by machining, cutting, grinding, welding, or similar processes.
8. *Private tutoring or instruction.* Private tutoring, instruction, or teaching of individuals or groups in areas including academics, fine and performing arts, martial arts, physical training, and other subjects.
9. *Telemarketing call center.* An office primarily engaged in the marketing and receiving large numbers of telephone calls for purposes such as customer support, information inquiries, and/or product sales and services.
10. *Warehousing.* As a primary use, the process of storing physical goods in a dedicated facility before they are sold or further distributed by another entity. Warehousing activities does not include the sale of goods being handled. This definition does not include warehousing or storage that is accessory to another primary use.
11. *Wholesale distribution.* An operation selling goods or commodities in quantity chiefly to retailers, other merchants, or industrial, institutional, or commercial users mainly for resale or business use.

C. Land Uses.

1. *Permitted Land Uses.* Uses in this NR-PD are limited to those listed below and fall into one of five categories: Professional, Scientific & Technical Services; Arts, Entertainment, Education & Recreation; Health Care Products; Manufacturing; and Wholesale Trade, Retail Trade, or E-Commerce. Some uses are noted as permitted with conditions (P/C), which are detailed in the succeeding section.

NR-PD PERMITTED USES		
Artisanal Food Production	Custom and craft work	Photography, Art, or Music Studio
Arts & Crafts Store	E-Commerce Retail Sales	Printing Shop
Auto Parts Sales (w/o Machine shop)	Events and Catering Logistics	Private Tutoring or Instruction (P/C)
Bakery	Florist	Research & Development Laboratory
Beauty Supply Sales	Grocer / Produce Market	Secondhand Dealer (P/C)
Bicycle Sales & Service	Health and Nutrition Food Store	Sheet Metal Shop (P/C)
Brewery, Distillery, Winery	Janitorial Supply and Service	Shoe Repair
Cabinet or Woodworking Shop	Jeweler	Sign Shop

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NR-PD PERMITTED USES		
Carpet & Tile Sales	Key Shop/Locksmith	Swimming Pool Sales and Service
Clock Repair	Light Manufacturing / Product Assembly	Tailor/Alteration
Cold Storage	Machine Shop (P/C)	Telemarketing Call Center (P/C)
Commercial Carpet Cleaning	Medical Appliances and Fittings	Telephone Business/Sales Office
Consumer Electronics Service	Office, Administrative, Business or Professional	Trophy & Awards Shop
Contractor's Office (w/shop) (P/C)	Pest Control Service	Warehousing (P/C)
Copy Center	Pharmacy	Wholesale Distributor

2. Permitted Land Use Conditions.

- a. The following land uses are limited to 3,000 square feet of the leasable floor area of the building, regardless of the number of individual tenants.
 - i. Secondhand dealer
 - ii. Sheet metal shop
 - iii. Telemarketing call center
 - iv. Machine shop
- b. Warehousing as a primary use is limited to 15,000 square feet of the leasable floor area of the building, regardless of the number of individual tenants.
- c. Private tutoring or instruction is limited to a maximum of four (4) students or clients at any one time.

3. Prohibited Land Uses.

- a. Any land use requiring a special use permit in the C-2 (Commercial) zoning district, as amended, not listed herein as permitted is prohibited.
- b. The following uses are prohibited from this NR-PD include:

NR-PD PROHIBITED USES		
Auto Alarm/Stereo/Window Tinting Store	Department Store	Pet Store
Auto Upholstery Shop	Dry cleaners	Restaurant, fast casual
Automobile Inspection Station	Home Improvement Center	Restaurant, full service
Automobile Lubrication Center	Lawn Maintenance Service Shop	Tanning Salon
Bank and Savings and Loan	Massage Establishment	Veterinarian Clinic (w/o kennels)
Barber Shop/Beauty Salon	Nail Salon	Wedding Chapel or Event Center
Convenience Store	Office, Medical or Dental	Weight Loss Center

- c. *Interpretation—Materially Similar Uses.* A use not specifically mentioned or described by category in this NR-PD district is prohibited. The Development Review Committee may determine if a use not mentioned can reasonably be

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interpreted to fit into a use category where similar uses are described, so long as the purpose and intent of this NR-PD zoning district is met. New and unlisted uses determined by the Development Review Committee as not materially similar to a listed permitted use must be processed in the same manner as the original NR-PD zoning approval.

4. *Ancillary/Accessory Uses.* Certain uses are considered ancillary or accessory. These are uses that are generally for the benefit of tenants and their on-site employees only and combined account for no more than twenty-five (25) percent of the total building area. Ancillary or accessory uses may be approved by the Development Review Committee if aligned with the purpose and intent of this NR-PD district.

D. Operational Standards.

1. An individual tenant lease space must not exceed three thousand (3,000) square feet in floor area.
2. For any tenant or use that requires parking for Fleet or Delivery Vehicles, the vehicles must be parked on the northwest side of the building. Parking of fleet vehicles is prohibited in front of the building or visible from Boulevard 26. The parking of flatbed trailers, cargo trailers, or vehicles longer than twenty-six (26) feet is prohibited.
3. Outside storage and incidental outside display, as defined by Sections 118-716 and 118-717 of the Zoning Chapter of the Code of Ordinances, is prohibited. This includes but is not limited to pallets, raw materials, products, merchandise, junk/waste, large equipment, forklifts, trailers, overnight or long-term parking of vehicles not defined herein as Fleet or Delivery Vehicles, and any other items not in the active and immediate process of being transferred into or out of the building.
4. All shipping, receiving, loading, unloading, delivery, and similar activities must be conducted on the northwest or northeast sides of the building.
5. Access to the building must be secured and limited to building management employees, bona fide tenants, and their employees. Customers, visitors, or the general public may enter by appointment or invitation only. A public lobby area may be provided.
6. A Certificate of Occupancy is required for all businesses on site.

- E. *Site development standards.* A site plan and associated plans for the development must be approved by the Development Review Committee prior to the issuance of a building permit for the property. Development of the property must comply with the development standards of the C-2 (Commercial) zoning district and the standards described below.

1. A landscape plan for the development must be prepared by a Registered Landscape Architect and be approved by the Development Review Committee prior to construction.

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2. The site is exempt from Section 114-71(i) of the Vegetation Code regarding the landscaping of parking lots. However, Section 114-71(i)(3) regarding parking lot entrance islands is applicable to the site.
3. Along the Boulevard 26 frontage, the following improvements are required:
 - a. One of the two driveways on Boulevard 26 must be removed. A new curb line must be constructed and a parkway established between the new curb and the sidewalk.
 - b. A 15-foot landscape setback must be installed adjacent to Boulevard 26. The design of the setback must comply with Section. 114-71(g) of the Vegetation Chapter of the Code of Ordinances.
 - c. All landscape areas must be irrigated by an automatic underground irrigation system equipped with rain and freeze sensors.
 - d. A five-foot sidewalk and ADA access ramps must be constructed adjacent to Boulevard 26. Improvements must be constructed in accordance with Texas Department of Transportation and City standards.
 - e. The parking lot must be designed to account for a future common access driveway connection to Lot 2, Block 1, Richland Terrace Addition (7605 Boulevard 26).
4. Along the City Point Drive frontage, the following improvements are required:
 - a. One of the three driveways along City Point Drive must be removed. A new curb line must be constructed and a parkway established between the new curb and the sidewalk.
 - b. A 15-foot landscape setback must be installed adjacent to Boulevard 26. The design of the setback must comply with Section 114-71(g) of the Vegetation Chapter of the Code of Ordinances.
 - c. A four-foot sidewalk and ADA access ramps must be constructed adjacent to City Point Drive. Improvements must be constructed in accordance with City standards.
5. The exterior building façade must be improved in accordance with the following standards:
 - a. The exterior walls of the building must be repainted. Colors must be low reflectance, subtle, neutral, or earth tone colors. Bright pure tone primary or secondary colors must not exceed ten (10) percent of any single exterior wall area, excluding the area of windows and doors.
 - b. The primary building entry must be articulated horizontally by at least twelve (12) inches and vertically by at least four (4) feet for at least fifteen (15) percent of the building length. The building entry articulation must utilize contrasting building materials, colors, window glazing, signage, and ornamental/architectural lighting to accentuate the entry.

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6. The existing noncompliant parking lot landscape islands must be removed. Concrete-curbed raised parking lot islands utilizing a decorative stamped and stained concrete may replace the islands in lieu of installing irrigated islands with plant material.
 7. All outdoor lighting must comply with the requirements of Section 118-728 of the zoning ordinance.
 8. Signs must be designed and installed in accordance with *Chapter 106 – Signs* of the North Richland Hills Code of Ordinances.
- F. *Amendments to Approved Planned Developments.* An amendment or revision to the Nonresidential Planned Development (NR-PD) must be processed in the same manner as the original approval. The application for an amendment or revision must include all land described in the original ordinance that zoned the land to the NR-PD district.

The city manager or designee may approve minor amendments or revisions to these standards provided the amendment or revisions does not significantly:

1. Alter the basic relationship of the proposed uses to adjacent uses;
2. Change the uses approved;
3. Increase approved densities, height, site coverage, or floor areas;
4. Decrease on-site parking requirements;
5. Reduce minimum yards or setbacks; or
6. Change traffic patterns.