

**ORDINANCE NO. 3847
TEXT REVISION CASE TR23-03**

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS AMENDING IN ITS ENTIRETY CHAPTER 110 (SUBDIVISIONS) OF THE CODE OF ORDINANCES OF THE CITY OF NORTH RICHLAND HILLS, THROUGH THE REPLACEMENT BY THE ADOPTION OF A REVISED CHAPTER 110 (SUBDIVISIONS) CONSISTING OF ARTICLE I ENTITLED "IN GENERAL"; ARTICLE II ENTITLED "ADMINISTRATION"; ARTICLE III ENTITLED "PLATS"; ARTICLE IV ENTITLED "PRELIMINARY PLAT"; ARTICLE V ENTITLED "FINAL PLAT"; ARTICLE VI ENTITLED "MINOR PLAT"; ARTICLE VII ENTITLED "REPLAT"; ARTICLE VIII ENTITLED "AMENDING PLAT"; ARTICLE IX ENTITLED "TECHNICAL SPECIFICATIONS FOR PLAT DRAWINGS"; ARTICLE X ENTITLED "DESIGN CRITERIA"; ARTICLE XI ENTITLED "REQUIRED IMPROVEMENTS"; ARTICLE XII ENTITLED "ADEQUACY OF PUBLIC FACILITIES; PROPORTIONALITY"; AND ARTICLE XIII ENTITLED "IMPACT FEES"; 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 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 Subdivision Regulations of the City of North Richland Hills are an important part of the land development process and serve as an implementation tool of the comprehensive plan and the zoning ordinance, providing standards and requirements for the creation of residential and nonresidential lots and subdivisions, and ensuring that public and private development is served by adequate public facilities for water, sanitary sewer, streets, and drainage; and

WHEREAS, the current version of the subdivision regulations was adopted in May 1994 and have been amended several times, creating a patchwork of changes that has resulted in inconsistent terminology and a fragmented ordinance structure; and

WHEREAS, immediately following the May 2023 City Charter election, City Council approved Resolution 2023-044 on May 17, 2023, directing city staff to initiate the amendment process to the subdivision regulations; and

WHEREAS, a revision to the subdivision regulations was drafted through collaboration of staff, development professionals, and residents as well as public input to meet the goals and objectives of the Vision2030 Land Use Plan; and

WHEREAS, public input and comments on the revised subdivision regulations were provided through a public outreach program including public meetings, a public comment period, a dedicated website utilized to review and recommend revisions to the subdivision regulations, and work sessions with the Planning and Zoning Commission and City Council; and

WHEREAS, the City Council of the City of North Richland Hills desires to replace in their entirety Chapter 110 (Subdivisions) of the Code of Ordinances through the adoption of a revised Chapter 110 (Subdivisions) chapter; and

WHEREAS, the Planning and Zoning Commission of the City of North Richland Hills, Texas held public hearings on March 21, April 4, and April 18, 2024, and the City Council of the City of North Richland Hills, Texas, held a public hearing on April 22, 2024, with respect to the proposed ordinance amendment; and

WHEREAS, the City has complied with all requirements of Chapter 212 of the Local Government Code, the Subdivision Regulations of the City of North Richland Hills, and all other laws dealing with notice, publication, and procedural requirements for consideration of the proposed ordinance; and

WHEREAS, upon review of the proposed ordinance, and after such public hearing, the City Council has determined that the proposed ordinance amendment promotes the health, safety, morals, and general welfare with 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:

- SECTION 1:** That Chapter 110 (Subdivisions) of the Code of Ordinances of the City of North Richland Hills is hereby amended and restated to include the adoption of the Subdivision Regulations, a copy of which is attached hereto as **Exhibit “A”** and incorporated by reference for all purposes, and which hereby replaces in its entirety Chapter 110 (Subdivisions) of the Code of Ordinances of the City of North Richland Hills.
- SECTION 2:** 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 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 Subdivision Regulations 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 Five Hundred (\$500.00). Each day any such violation shall be allowed to continue shall constitute a separate violation and 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 subdivisions 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 on July 1, 2024, and upon publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED on this 22nd day of April, 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
Managing Director of Development Services