

**PLANNING AND ZONING COMMISSION
MEETING AGENDA
CITY HALL, 3200 DIANA DRIVE
JULY 22, 2025, at 6:00 PM**

- 1. CALL TO ORDER**
- 2. OATH OF OFFICE**
- 3. EXECUTIVE SESSION**

Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. **Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.**

4. PUBLIC COMMENTS

This is the public's opportunity to address the Planning & Zoning Commission about non-agenda items. In compliance with the Texas Open Meetings Act, Commission members and city staff are prevented from discussing non-agenda items and may only respond with statements of factual information or existing city policy.

REGULAR AGENDA

- 5.** Approve minutes from the March 25, 2025, Planning and Zoning Commission meeting and the April 28, 2025 and May 12, 2025 Joint Meetings of the City Council and Planning and Zoning Commission.
- 6.** Consider Ordinance 1529-25 amending Chapter 90 "Zoning", Section 4.02.01 "Accessory Structure Standards" in order to update size, setback, and general regulations for accessory structures. **PUBLIC HEARING**

7. ADJOURNMENT

A quorum of the City Council or other Boards may be present at this meeting

CERTIFICATE

I hereby certify that the above agenda was posted on this the 17th day of July 2025 by 5:30 p.m. on the official bulletin board at the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas, pursuant to the Texas Government Code, Chapter 551.

Lindsay Rawlinson

Lindsay Rawlinson
City Secretary



ACCESSIBILITY STATEMENT

The Facility is wheelchair accessible. If you plan to attend this public meeting and have a disability that requires special arrangements, please notify the City Secretary 48 hours in advance at (817) 616-3810 and reasonable accommodations will be made to assist you.

Memorandum

To: Richland Hills Planning and Zoning Commission

From: Lindsay Rawlinson, City Secretary

Date: July 22, 2025

Subject: Minutes from the March 25, 2025 Regular Planning and Zoning Commission Meeting, and the April 28, 2025 and May 12, 2025 Joint Meetings of the City Council and Planning and Zoning Commission

Agenda Item:

Approve minutes from the March 25, 2025 Planning and Zoning Commission meeting, and the April 28, 2025 and May 12, 2025 Joint Meetings of the City Council and Planning and Zoning Commission.

Background Information:

N/A

Financial Considerations:

N/A

Legal Review:

N/A

Board/Citizen Input:

N/A

Attachments:

March 25, 2025 Draft Minutes

April 28, 2025 Draft Minutes

May 12, 2025 Draft Minutes

Suggested Motion:

Motion to approve the minutes from the March 25, 2025 Planning and Zoning Commission meeting, and the April 28, 2025 and May 12, 2025 Joint Meetings of the City Council and Planning and Zoning Commission.

**RICHLAND HILLS PLANNING & ZONING COMMISSION
REGULAR MEETING
MARCH 25, 2025
MINUTES**

Members Present

Michael Wilson, Chair
Jackson Durham, Place 3
Mary Witt, Place 4
Keith Albee, Alternate 1

Members Absent

Kenneth Keating, Place 1
Kelle Jones, Place 5
Ray Stilwell, Alternate 2

Staff Present

JP Ducay, Director of Planning and Development Services
Lindsay Rawlinson, City Secretary
Bradley Anderle, City Attorney

1. CALL TO ORDER

Chair Wilson called to order at 6:01 p.m.

2. EXECUTIVE SESSION

Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071. Refer to posted list attached hereto and incorporated herein. Executive Session may be held, under these exceptions, at any time during the meeting that a need arises for the Planning and Zoning Commission to seek advice from the City Attorney as to the posted subject matter of this Planning and Zoning Commission meeting.

None.

3. PUBLIC COMMENTS

None.

REGULAR AGENDA

4. Approved minutes from the January 28, 2025 Planning and Zoning Commission meeting

Motion: Motion was made by Commissioner Albee and seconded by Commissioner Durham to approve the minutes from the January 28, 2025 Planning and Zoning Commission meeting.

Motion carried by a vote of 4-0.

5. Approved Ordinance 1522-25 a Specific Use Permit (2025-0231) to permit a “Fortune Teller/Psychic” use for the property described as Lot 7, Block 2, William Addition, Richland Hills, Texas, otherwise known as 7410 Boulevard 26 (suite 103), Richland Hills, Texas 76118. PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented the item to the Commission and advised that on March 10, 2025, an application was submitted by Carol Adams (applicant) requesting a SUP, Specific Use Permit, allowing for the use of “Fortune Teller/Psychic” in the MX, Mixed Use Zoning District for 7410 Boulevard 26, suite 103. The subject 0.7-acre property contains a 13,000 square-foot multi-suite retail strip-center.

The applicant is proposing to occupy the vacant 300 square-foot suite (103) and offer “Fortune Teller/Psychic” services. The applicant received a Certificate of Occupancy for a “Retail, Store and Shop” on March 18, 2025. The predominate element of the business is the sale of candles and crystals. However, the applicant is also requesting to provide “Fortune Teller/Psychic” services as an ancillary element of the business. The use of “Fortune Teller/Psychic” is allowed only by Specific Use Permit (SUP) in the MX, Mixed Use Zoning District.

The City’s 2014 Comprehensive Plan designates the subject area as Mixed Use. This land use type is intended to support a compact mix office, retail, cultural facilities, and medium-to-high density housing, providing the residents with a vibrant blend of opportunities to live, work, shop, and play within a closely defined area. Staff recommends approval of ordinance 1522-25 for a specific use permit allowing for the use of “Fortune Teller/Psychic” at 7410 Blvd 26 (suite 103).

One letter of opposition was submitted by a property owner within 200 feet of the subject property.

Discussion ensued regarding the parameters of the specific use permit and the letter of opposition.

City Attorney Bradley Anderle advised that the specific use permit would apply to only the suite number (103) and not the entire property and outlined the basic reasons the City would approve a specific use permit.

Applicant Carol Adams informed the Commission that she is a fourth generation psychic and this is a family owned business that has been in operation for 50 years in Haltom City. She is seeking to expand their business into Richland Hills but the psychic portion of the business will be by appointment only.

Chair Wilson opened the public hearing at 6:12 p.m. and asked to hear from any proponents followed by opponents of the case.

Seeing none, Chair Wilson closed the public hearing at 6:13 p.m.

Discussion ensued regarding parking and the best use of the property.

Motion: Motion was made by Commissioner Albee and seconded by Chair Wilson to Ordinance 1522-25 a Specific Use Permit (2025-0231) to permit a “Fortune Teller/Psychic” use for the property described as Lot 7, Block 2, William Addition, Richland Hills, Texas, otherwise known as 7410 Boulevard 26 (suite 103), Richland Hills, Texas 76118.

Motion carried by a vote of 4-0.

6. Approved Ordinance 1523-25 a Planned Development (2025-0226) with a base zoning of LC, Light Commercial allowing for a “Manufacturing, Light” use with an outside storage element for the property described as Lot 13R, Block H, Richland Hills Addition, otherwise known as 6525 Baker Blvd, Richland Hills, Texas 76118. PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented the item to the Commission and advised that on March 7, 2025, an application was submitted by Brad and Cliff Chapman (applicants) with Layne Glass Company requesting to rezone the subject property to PD, Planned Development with a base zoning of LC, Light Commercial. The intent of this request is to purchase the property and allow for a glass fabrication company to occupy and operate out of the subject building.

The subject 2.5-acre property addressed as 6525 Baker Boulevard is currently zoned MX, Mixed Use. The applicant is requesting to rezone the property to PD, Planned Development with a base zoning of LC, Light Commercial to allow for the use of “Manufacturing, Light” and “Outside Storage, Incidental”. The use of “Manufacturing, Light” and “Outside Storage, Incidental” are only permitted by specific use permit (SUP) in the LC, Light Commercial zoning district. Subsequently, the applicant is requesting to add conditions to the PD, Planned Development to allow for the use of “Manufacturing, Light” and Outside Storage, Incidental”.

Their outside storage needs are primarily for excess aluminum stock lengths (covered) and company trailers. The applicant has also indicated that if they are permitted to occupy this site, they intend on making substantial improvements to the building and property. Additional landscaping would also be installed throughout the site and in-between the residential areas to act as a natural noise barrier.

Applicant Cliff Chapman stated that this is a family business and he is a third generation glassmaker.

Applicant Brad Chapman provided details of their business including that they have seen 28 percent growth and will be doubling their overall space with this purchase. There are typically 25-30 employees in the offices and they plan to bring their entire business headquarters to Richland Hills. Additionally, he advised that there are plans to make improvements to the facility and overall security and estimated that it will take approximately two to three months to complete the improvements and transition.

Chair Wilson opened the public hearing at 6:39 p.m. and asked to hear from any proponents followed by opponents of the case.

Hearing none, Chair Wilson closed the public hearing at 6:40 p.m.

Motion: Motion was made by Chair Wilson and seconded by Commissioner Durham to approve Ordinance 1523-25 a Planned Development (2025-0226) with a base zoning of LC, Light Commercial allowing for a “Manufacturing, Light” use with an outside storage element for the property described as Lot 13R, Block H, Richland Hills Addition, otherwise known as 6525 Baker Blvd, Richland Hills, Texas 76118.

Motion carried by a vote of 4-0.

7. Approved Ordinance 1524-25 amending Ordinance 1463-22 to increase the maximum number of food trucks permitted on the City Market property described as Popplewell, S Survey, Abstract 1241, Tract 2J, otherwise known as 7206 Latham Dr, Richland Hills, Texas 76118. PUBLIC HEARING

Director of Planning and Development Services JP Ducay presented the item to the Commission and advised that in October 2022, Dan Boykin (owner/applicant) requested a Specific Use Permit (SUP) to allow for the operation of a “Farmers Market” at 7206 Latham. This SUP request was approved with the following conditions:

1. Two portable restrooms are permitted to stay on site for a period of one (1) year from the effective date of this SUP ordinance, on the condition that screening is provided when the farmer’s market is not in operation. Following the one (1) year term, portable restrooms are prohibited one site.
2. No more than three (3) food trucks shall be permitted to operate on site at any one time. One main food truck, as depicted on the site plan attached hereto as Exhibit B, that is to be permanently located on site shall be allowed to be connected to City utilities (water, sewer, and electric). No other food trucks shall be allowed to be connected City utilities.
3. Within one (1) year from the effective date of this SUP ordinance, the North Storage building, as depicted on the site plan attached hereto as Exhibit B, shall be converted to restrooms.
4. The dumpster on site shall be screened per City ordinances.

On February 19, 2025, an application was submitted by Mr. Boykin requesting to amend the original SUP ordinance to increase the maximum number of food trucks permitted at the City Market.

Discussion ensued regarding the conditions of the original SUP ordinance and the City’s views on approving increasing the overall number of food trucks.

Mr. Ducay confirmed that the bathroom facility was built in accordance with the SUP condition, overall site parking requirements would not be affected by adding additional trucks, and the City would allow six trucks on the property.

Chair Wilson opened the public hearing at 6:51 p.m. and asked to hear from any proponents followed by opponents of the case.

Hearing none, Chair Wilson closed the public hearing at 6:51 p.m.

Motion: Motion was made by Commissioner Durham and seconded by Commissioner Witt to approve Ordinance 1524-25 amending Ordinance 1463-22 to increase the maximum number of food trucks permitted on the City Market property described as Popplewell, S Survey, Abstract 1241, Tract 2J, otherwise known as 7206 Latham Dr, Richland Hills, Texas 76118.

Motion carried by a vote of 4-0.

8. ADJOURNMENT

Chair Wilson declared the meeting adjourned at 6:54 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Michael Wilson, Chair

**MINUTES OF A JOINT MEETING OF THE
CITY COUNCIL AND THE PLANNING & ZONING COMMISSION
APRIL 28, 2025**

Roll Call:

Council present

Curtis Bergthold, Mayor
Douglas Knowlton, Mayor Pro Tem
Travis Malone, Place 2
Theresa Bledsoe, Place 3
John Skier, Place 4
GW Estep, Place 5
Roland Goveas, Place 6

Council absent

Planning & Zoning Members Present

Michael Wilson, Chair
Mary Witt, Place 4
Kelle Jones, Place 5
Keith Albee, Alternate 1

Planning & Zoning Members Absent

Kenneth Keating, Place 1
Jackson Durham, Place 3
Ray Stilwell, Alternate 2

Staff present

Candice Edmondson, City Manager
Lindsay Rawlinson, City Secretary
JP Ducay, Director of Planning and Development Services

JOINT MEETING – 5:30 P.M.

1. CALL TO ORDER

Mayor Bergthold called the joint meeting of the City Council and the Planning & Zoning Commission to order at 5:32 p.m.

REGULAR AGENDA

2. Approved minutes from the April 22, 2025 CPAC meeting

Motion: Motion was made by Mayor Pro Tem Knowlton and seconded by Councilmember Goveas to approve the minutes from the April 22, 2025 CPAC meeting.

The vote was as follows:

For: Mayor Bergthold, Mayor Pro Tem Knowlton, Councilmembers Estep, and Goveas, Planning & Zoning Members Wilson, Witt, and Jones

Against: None

Motion carried by a vote of 7-0.

3. Introduce the first Comprehensive Plan draft and provide direction on adoption.

Director of Planning and Development Services JP Ducay introduced Halff Associates Senior Planner Nathlie Booth who provided an overall review of the draft Comprehensive Plan. She advised that the Plan serves as a blueprint to guide future development and redevelopment, derived from the stated desires of the community.

Ms. Booth advised of the three major corridors in the City including the Glenview Corridor, Boulevard 26 corridor and the Baker Boulevard corridor and discussed the characteristics of each.

She next provided an overview of each chapter in Plan:

- Chapter 1: Existing conditions and analysis from the Richland Hills Today report
- Chapter 2: Community engagement summary
- Chapter 3: Guidance on policy changes for future redevelopment, active mobility, drainage infrastructure, and neighborhoods
- Chapter 4: Detailed guidance on land use, urban design, subareas, and housing characteristics
- Chapter 5: Summarized table of actions to implement plan and measures to track plan success

Mr. Ducay reiterated that the City and Halff have sought public input throughout this process. Beginning in February 2024, Halff conducted several different conversations with different stakeholders including City Council Interviews, CPAC Meetings, Open House, Public Workshop, and an Online Survey. Public conversations on corridor improvements, neighborhood conservation, drainage infrastructure, and strategic guidance on growth and redevelopment were conducted throughout.

Goals established during the second and third CPAC meetings included a sustainable economy with the overall goal being to boost economic prosperity in Richland Hills by creating a business-friendly environment that attracts diverse shops, restaurants, and services along key commercial corridors and Quality of Place by encouraging development that creates unique and interesting places which enhance and thoughtfully integrate with Richland Hills.

Other goals included Mobility for All by enhancing the network of streets, sidewalks, bike facilities, and trails in Richland Hills to be safer, better connected, and inclusive, Strong Neighborhoods by fostering strong and identifiable neighborhoods that maintain foundational character while allowing for change, feel safe and inclusive, and integrate with natural resources and features, and Resilient Infrastructure to ensure diverse and resilient stormwater infrastructure that functions efficiently and equitably addresses risks to the city.

Chapter 4 focused on future development including incorporating land use with character and urban design. The intent is to define distinct areas in Richland Hills by form and

function including the three main focus areas of Baker Boulevard, Handley Ederville Road, and The Triangle area along Glenview Drive and Boulevard 26.

Chapter 5 focused on implementation of the Comprehensive Plan.

Discussion ensued regarding connecting the Hike and Bike Trail to other City parks, the potential for developers to purchase individual properties, and the walkability of the proposed Plan.

Director of Planning and Development Services JP Ducay advised that City staff will take the feedback received and any additional public input and present an updated draft to a joint meeting of the City Council and the Planning and Zoning Commission on Monday, May 12, 2025 for potential approval.

4. ADJOURNMENT

There being no further business to come before the joint meeting of the City Council and the Planning & Zoning Commission, Mayor Lopez and Chair Wilson declared the meeting adjourned at 6:55 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Curtis Bergthold, Mayor

APPROVED:

Michael Wilson, Chair

**MINUTES OF A JOINT MEETING OF THE
CITY COUNCIL AND THE PLANNING & ZONING COMMISSION
MAY 12, 2025**

Roll Call:

Council present

Curtis Bergthold, Mayor
Douglas Knowlton, Mayor Pro Tem
Travis Malone, Place 2
Theresa Bledsoe, Place 3
John Skier, Place 4
GW Estep, Place 5
Roland Goveas, Place 6

Council absent

Planning & Zoning Members Present

Michael Wilson, Chair
Jackson Durham, Place 3
Mary Witt, Place 4
Kelle Jones, Place 5
Keith Albee, Alternate 1
Ray Stilwell, Alternate 2

Planning & Zoning Members Absent

Kenneth Keating, Place 1

Staff present

Candice Edmondson, City Manager
Lindsay Rawlinson, City Secretary
JP Ducay, Director of Planning and Development Services

JOINT MEETING – 6:00 P.M.

1. CALL TO ORDER

Mayor Bergthold called the joint meeting of the City Council and the Planning & Zoning Commission to order at 6:01 p.m.

REGULAR AGENDA

2. Introduce the first Comprehensive Plan draft and provide direction on adoption.

Director of Planning and Development Services JP Ducay provided a brief review of the draft Comprehensive Plan and provided comments and input received from the public. He discussed comments regarding the Baker Boulevard corridor including providing flexibility to consider light commercial users as a compatible use and additional clarity to differentiate properly screen outdoor storage areas versus front yard storage and display areas.

He advised of mobility updates including that the Pedestrian Plan was updated to reflect a Safe Routes To Schools action plan and considered traffic impacts in the 121 Plan. Additionally, he provided an update to questions posed in the April 22, 2025 Comprehensive Plan Advisory Committee meeting such as reframing redevelopment with alternative language and advised that updates were made throughout the document, new residential opportunities would be handled during the zoning ordinance re-write process, and unification and cross connection requirements would be addressed during the street ordinance re-write process.

Discussion ensued regarding traffic data, drainage issues along Booth Calloway Road and Big Fossil Creek.

Mr. Ducay advised that the next step is for the Planning and Zoning Commission to consider a vote regarding the proposed Comprehensive Plan.

Motion: Motion was made by Chair Wilson and seconded by Member Jackson to recommend approval to the City Council of the draft Comprehensive Plan with changes as discussed and presented.

Motion carried by a vote of 4-0.

Motion: Motion was made by Councilmember Malone and seconded by Councilmember Skier to place the draft Comprehensive Plan on the May 27, 2025 City Council regular meeting agenda for consideration and approval.

Motion carried by a vote of 7-0.

3. ADJOURNMENT

There being no further business to come before the joint meeting of the City Council and the Planning & Zoning Commission, Mayor Lopez and Chair Wilson declared the meeting adjourned at 6:41 p.m.

ATTEST:

APPROVED:

Lindsay Rawlinson, City Secretary

Curtis Bergthold, Mayor

APPROVED:

Michael Wilson, Chair

Memorandum

To: City of Richland Hills Planning and Zoning Commission
From: JP Ducay, Director of Planning and Development Services
Date: July 22, 2025
Subject: Accessory Structure Standards Text Amendment

Agenda Item:

Consider Ordinance 1529-25 amending Chapter 90 “Zoning”, Section 4.02.01 “Accessory Structure Standards” in order to update size, setback, and general regulations for accessory structures. **PUBLIC HEARING**

Background Information:

On May 6, 2014, the City of Richland Hills adopted a Comprehensive Plan along with a new Zoning Ordinance. The new zoning ordinance did not establish new or modern standards for accessory structures. Instead, the new ordinance recycled the accessory structure regulations that existed prior to 2014. Permitting staff has recognized that the application of such standards can be unreasonably limiting and, in some cases, prohibit improvements to property. The purpose of the proposed text amendments is to establish a more flexible ordinance that may result in higher quality development. The proposed amendments will better regulate the size, setbacks, and general standards associated with accessory structures. Text amendment documents have been attached for your reference.

Financial Considerations:

N/A

Legal Review:

The City Attorney has reviewed the draft ordinance.

Board/Citizen Input:

Planning and Zoning Commission – July 22, 2025.
City Council – July 28, 2025.

Attachments:

Chapter 90 “Zoning”, Section 4.02.01 “Accessory Structure Standards”
Ordinance 1529-25

Council Action Requested:

Motion to approve Ordinance 1529-25 amending Chapter 90 "Zoning", Section 4.02.01 "Accessory Structure Standards" in order to update size, setback, and general regulations for accessory structures.

§ 4.02. Accessory Structure Standards.

90-4.02.01 Accessory Structures. The following regulations apply to permanent accessory structures as outlined below in each section for residential accessory structures, nonresidential accessory structures, and carports:

(A) Residential accessory structure requirements (excluding carports). Accessory structures must adhere to the following requirements:

(1) Dimensions.

- (a) An accessory structure shall not exceed a height of 15 feet.
- (b) An accessory structure shall not exceed 50 percent of the floor area of the principal building. If more than one accessory structure is located on the property, the total floor area of all accessory structures shall not exceed 50 percent of the floor area of the principal building.
- (c) Accessory structures shall be included in the lot coverage calculations.

(2) Location.

- (a) Accessory structures shall meet the following setback requirements:
 - 1. Front. The front setback shall be behind the front of the principal structure building face.
 - 2. Rear. The rear setback shall be five feet from the property line or out of easement, whichever establishes a greater setback.
 - 3. Side. The side setback shall be five feet from the property line or out of easement, whichever establishes a greater setback, for interior lots, and 15 feet from the property line where a lot is adjacent to a side street.
- (b) No accessory structure shall be located in front of the principal structure building face.
- (c) Accessory structures are prohibited in easements.
- (d) Accessory structures must maintain a minimum separation of five feet between exterior walls.

(3) Number.

- (a) No more than two accessory structures are permitted on a single property.
- (b) Lots larger than 30,000 square feet may have up to three accessory structures.

(4) Materials.

- (a) For accessory structures equal to or less than 440 square feet, exterior wood and metal siding with a baked-on enamel finish are permitted. Corrugated metal siding is not permitted.

- (b) Construction materials for accessory structures with a floor area over 440 square feet must comply with the exterior building material requirements for a main structure.

(B) Nonresidential accessory structures. Accessory buildings must adhere to the following requirements:

(1) Dimensions.

- (a) An accessory structure shall not exceed a height of 15 feet.
- (b) An accessory structure shall not exceed 50 percent of the floor area of the principal building. If more than one accessory structure is located on the property, the total floor area of all accessory structures shall not exceed 50 percent of the floor area of the principal building.
- (c) Accessory structures shall be included in the lot coverage calculations.

(2) Location.

- (a) Accessory structures shall meet the following setback requirements:
 - 1. Front. The front setback shall be behind the front of the principal structure building face.
 - 2. Rear. The rear setback shall be five feet from the property line or out of easement, whichever establishes a greater setback.
 - 3. Side. The side setback shall be five feet from the property line or out of easement, whichever establishes a greater setback, for interior lots, and 15 feet from the property line where a lot is adjacent to a side street.
- (b) No accessory structure shall be located in front of the principal structure building face.
- (c) Accessory structures are prohibited in easements.
- (d) Accessory structures must maintain a minimum separation of ten feet between exterior walls.

(3) Number.

- (a) No more than one accessory structure use permitted on a single property.

(4) Materials.

- (a) All accessory structures in nonresidential zoning districts must comply with the exterior building material requirements for a main structure.

(C) Carports.

- (1) Location. Locational requirements for carports within the city shall be as follows:

- (a) Front. An attached carport may extend beyond the front building line (setback line), but in no case shall the structure extend more than 25 feet from the point of attachment to the residence, or encroach upon the street right-of-way or any easement.
 - (b) Side. A carport shall be set back five feet from the side property line or out of easement, whichever establishes the greater setback.
 - (c) Rear. A carport shall be set back five feet from the rear property line or out of easement, whichever establishes the greater setback.
- (2) Construction. Construction requirements for carports within the city shall be as follows:
- (a) Parking surface. Carports must be erected over an approved surface.
 - (b) Size. The roof assembly of a carport shall not exceed 25 feet in length or 25 feet in width. The inside vertical clearance of a carport shall not be less than seven feet, nor more than nine feet.
 - (c) Roof.
 - 1. Roof design and pitch of a carport shall not exceed that of the main structure.
 - 2. Carport roofs, if metal, shall be corrosion-resistant aluminum or steel painted with a baked-on enamel finish or equivalent.
 - 3. Metal roof carports must have a minimum slope of one-fourth unit vertical and 12 units horizontal (two percent).
 - (d) Walls. Carports shall have at least two open exterior walls; however, no exterior wall may extend into the required front yard.
- (3) Storage. A carport located in front of the main building shall be used to store only vehicles, including recreational vehicles, boats and trailers. All vehicles must be registered. Carports in front of the main building shall not be used to store any other items.

90-4.02.02 Swimming Pools.

- (A) Requirements. The owner of a lot zoned as residential may construct one in-ground swimming pool, or one above ground swimming pool, but not both. The location of an above ground swimming pool will be subject to the setback requirements for residential accessory structures as provided in subsection 4.02.01.(A)(2) above. The location of an in-ground swimming pool shall conform to the following setback requirements:
- (1) SF-E Single-Family Residential Estate District.
 - (a) Front. The front setback requirement for a swimming pool shall be the front building line established in this chapter for the applicable zoning district,

provided, however, that in no case shall the pool be closer to the street than the front of the main structure.

- (b) Side. The side setback requirement for a swimming pool shall be the side building line established in this chapter for the applicable zoning district.
 - (c) Rear. The rear setback requirement for a swimming pool shall be six feet.
- (2) All other residential zones. The setback requirements for a swimming pool shall be the respective building lines established in this chapter for the applicable zoning district.
- (B) Measurement. All of the foregoing setback requirements shall be measured from that portion of the pool, including decking and mechanical and electrical equipment, closest to the applicable setback line.
- (C) Easements and safety codes. Notwithstanding any provision herein to the contrary, no pool shall encroach upon the street right-of-way or any utility easement. Furthermore, notwithstanding any provision herein to the contrary, no swimming pool shall be located so as to create or constitute a violation of any building or safety code adopted by the city, including without limitation the International Residential Code and the Uniform Electrical Code.

90-4.02.03 Temporary Occupancy Structures (Buildings).

- (A) Temporary buildings may be utilized by places of worship (churches), public schools, and government agencies only. See "Temporary Occupancy Building" definition.
- (B) Places of worship (churches), public schools (kindergarten (K) through 12th grade), and government agencies shall apply for a building permit and must meet all applicable city ordinances to erect a temporary building.

90-4.02.04 Flags and Flagpoles.

- (A) Scope. The regulations set out in this section apply to flags and detached flagpoles in all zoning districts.
- (B) Setbacks. The minimum setback from any property line, overhead utility line, or public right-of-way shall be a distance equal to the vertical distance from the ground to the top of the pole.
- (C) Number and size.
 - (1) Residential Zoning Districts.
 - (a) No more than one flagpole shall be allowed per platted lot.
 - (b) The height of the flagpole shall not exceed 25 feet, measured from the natural grade.
 - (c) No more than three flags may be displayed on the flagpole located on a lot.

- (d) The size of the flag shall be appropriate for the height of the flag pole, but each individual flag shall in no event exceed 24 square feet in area.
 - (e) Small flags (not to exceed 24 square feet) mounted in stanchions on the face/eaves of buildings and flags that are displayed flush to the face of the building are not limited in number.
- (2) Nonresidential and Multiple Family Zoning Districts.
- (a) No more than three flagpoles shall be allowed per platted lot.
 - (b) The height of the flagpoles shall not exceed 30 feet, measured from the natural grade.
 - (c) No more than two flags may be displayed on the flagpole located on a platted lot.
 - (d) The size of the flag shall be appropriate for the height of the flag pole, but each individual flag shall in no event exceed 40 square feet in area.
- (D) Manner of display.
- (1) Furcated poles with multiple mounting structures shall not be allowed.
 - (2) Flags and insignia of any government shall be displayed in an approved manner pursuant to federal guidelines in Title 4, United States Code, Chapter 1 (the Federal Flag Code).

90-4.02.05 Wind Energy Conversion Systems.

- (A) Farm or utility systems. Wind energy conversion systems, farm or utility shall be prohibited within the city.
- (B) Small systems. Wind energy conversion systems, small are permitted, subject to the following conditions:
- (1) Accessory use. A small wind energy system is allowed as an accessory use in all residential zoning districts.
 - (2) General standards.
 - (a) Small wind energy systems are permitted only in the rear yard.
 - (b) The minimum distance between the ground and any part of a rotor blade must be at least 20 feet.
 - (3) Freestanding systems - additional standards. Small wind energy systems may be mounted on a tower detached from other structures on the lot.
 - (a) Setback. The minimum setback from any property line, overhead utility line, or public right-of-way shall be a distance equal to the vertical distance from the ground to the tip of a wind generator blade when the tip is at its highest point unless the affected utility, property owner, or governmental entity

grants written permission for a lesser setback.

- (b) Height. Freestanding systems measured from the top blade may not exceed 45 feet in height.

[Ord. No. 1273-14, § 1(Exh. A), 5-6-2014; Ord. No. 1296-15, § 2(Exh. A), 8-18-2015]

ORDINANCE NO. 1529-25

AN ORDINANCE AMENDING CHAPTER 90, “ZONING,” OF THE RICHLAND HILLS CODE, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RICHLAND HILLS; AMENDING SUBSECTION 90-4.02.01, “ACCESSORY STRUCTURES,” OF SECTION 4.02, “ACCESSORY STRUCTURE STANDARDS,” OF ARTICLE 4, “SITE DEVELOPMENT REQUIREMENTS,” TO AMEND THE REGULATIONS OF ACCESSORY STRUCTURES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Richland Hills, Texas (the “City”) is a home rule city 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, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals, and general welfare of the City, all in accordance with a comprehensive plan; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission on July 22, 2025, and thereafter by the City Council on July 28, 2025, with respect to the proposed use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication, and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable, in the public interest, and in the best interest of the public health and safety of the citizens to amend Chapter 90 of the Richland Hills Code, as amended, as described herein; and

WHEREAS, the proposed change is consistent with the City’s comprehensive land use plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHLAND HILLS, TEXAS, THAT:

SECTION 1

Subsection 90-4.02.01, “Accessory Structures,” of Section 4.02, “Accessory Structure Standards,” of Article 4, “Site Development Requirements,” of Chapter 90, “Zoning,” is hereby amended to read as follows:

“§ 4.02 Accessory Structure Standards.

90-4.02.01 Accessory Structures. The following regulations apply to permanent accessory structures as outlined below in each section for residential accessory structures, nonresidential accessory structures, and carports:

- (A) General: An accessory structure may only be permitted if it complies with the following:
- (a) An accessory structure shall be located on the same lot as the principal building, shall directly serve the principal use and building, and shall be reasonably and customarily incidental to the principal use and building;
 - (b) No accessory structure shall be permitted without a primary structure being located on the same premises, unless used for agricultural purposes;
 - (c) Accessory structures shall generally match the color and material of the principal building on the same lot;
 - (d) In no circumstance shall the aggregate floor area of a principal building and accessory structure exceed the maximum lot coverage of the zoning district in which the property is located; and
 - (e) The use of storage containers as a permanent accessory structure is prohibited. They may be allowed temporarily for moving or construction purposes but may not be located in any part of a fire lane, required parking space, maneuvering lane, or visibility triangle. A permit must be obtained from the city prior to placing a storage container on the property.
- (B) Residential accessory structure requirements (excluding carports). Accessory structures must adhere to the following requirements:
- (1) Dimensions.
 - (a) An accessory structure shall not exceed two stories in height, or twenty eight (28) feet, and shall not exceed the height of the principal building, whichever is lower.
 - (b) An accessory structure shall not exceed fifty percent (50%) of the principal building.

- (c) If more than one accessory structure is located on the property, the total floor area of all accessory structures shall not exceed sixty percent (60%) of the principal building.
- (d) The floor area of each accessory structure shall be calculated as enclosed space, excluding roofed structures such as patios, porches, decks and similar type structures.
- (e) Accessory structures shall be included in the lot coverage calculations.

(2) Location.

- (a) Accessory structures shall meet the following setback requirements:
 1. Front. The front setback shall be behind the front of the principal structure’s building face.
 2. Rear. The rear setback for structures fifteen (15) feet in height or less shall be five (5) feet from the property line or out of easement, whichever establishes a greater setback. Any accessory structure exceeding fifteen (15) feet in height shall be ten (10) feet from the property line or out of easement, whichever establishes a greater setback.
 3. Side. The side setback shall be contingent upon structure height as follows:

<u>Building Height</u>	<u>Side Yard – Interior</u>	<u>Side Yard - Street</u>
15 feet or smaller	5 feet	Base zoning - same as primary
15 feet one inch or taller	Base zoning - same as primary	Base zoning - same as primary

- (b) No accessory structure shall be located in front of the principal structure’s building face.
- (c) Accessory structures are prohibited in easements.
- (d) Accessory structures must maintain a minimum separation of five (5) feet between exterior walls.

(3) Number.

- (a) No more than two (2) accessory structures are permitted on a single property smaller than thirty thousand (30,000) square feet.

- (b) Lots larger than thirty thousand (30,000) square feet may have up to three (3) accessory structures.

(4) Materials.

- (a) For accessory structures equal to or less than four hundred and forty (440) square feet, exterior wood and metal siding with a baked-on enamel finish are permitted. Corrugated metal siding is not permitted.
- (b) Construction materials for accessory structures with a floor area over four hundred and forty (440) square feet must comply with the exterior building material requirement for a main structure.

(C) Nonresidential accessory structures. Accessory buildings must adhere to the following requirements:

(1) Dimensions.

- (a) An accessory structure shall not exceed the height of the principal building or thirty-five (35) feet, whichever is lower.
- (b) An accessory structure shall not exceed fifty percent (50%) of the principal building. If more than one accessory structure is located on the property, the total floor area of all accessory structures shall not exceed fifty percent (50%) of the floor area of the principal building.
- (c) Accessory structures shall be included in the lot coverage calculations.

(2) Location.

- (a) Accessory structures shall meet the following setback requirements:
 - 1. Front. The front setback shall be behind the front of the principal structure building face.
 - 2. Rear. The rear setback shall be five (5) feet from the property line or out of easement, whichever establishes a greater setback. For rear yards adjacent to residential lots, base zoning setback requirements shall be applied.
 - 3. Side. The side setback shall be five (5) feet from the property line or out of easement, whichever establishes a greater setback, for interior lots, and fifteen (15) feet from the property line where a lot is adjacent to a side street. For side yards adjacent to residential lots, base zoning setback requirements shall be applied.

- (b) No accessory structure shall be located in front of the principal structure building.
- (c) Accessory structures are prohibited in easements.
- (d) Accessory structures must maintain a minimum separation of ten (10) feet between exterior walls.

(3) Number.

- (a) No more than one accessory structure shall be permitted on a single nonresidential property.

(4) Materials.

- (a) All accessory structures in nonresidential zoning districts must comply with the exterior building material requirements for a main structure.

(D) Carports.

(1) Location. Locational requirements for carports within the City shall be as follows:

- (a) Front. An attached carport may extend beyond the front building line (setback line), but in no case shall the structure extend more than twenty five (25) feet from the point of attachment to the residence or encroach upon the street right-of-way or any easement.
- (b) Side. A carport shall be set back five (5) feet from the side property line or out of easement, whichever establishes the greater setback.
- (c) Rear. A carport shall be set back five (5) feet from the rear property line or out of easement, whichever establishes a greater setback.

(2) Construction. Construction requirements for carports within the City shall be as follows:

- (a) Parking surface. Carports must be erected over an approved surface.
- (b) Size. The roof assembly of a carport shall not exceed twenty five (25) feet in length or twenty five (25) feet in width. The inside vertical clearance of a carport shall not be less than seven feet, nor more than nine feet.
- (c) Roof.
 - 1. Roof design and pitch of a carport shall not exceed that of the main structure.

2. Carport roofs, if metal, shall be corrosion-resistant aluminum or steel painted with a baked-on enamel finish or equivalent.
 3. Metal roof carports must have a minimum slope of one-fourth unit vertical and twelve (12) units horizontal (two percent).
- (d) Walls. Carports shall have at least two (2) open exterior walls; however, no exterior wall may extend into the required front yard.
- (3) Storage. A carport located in front of the main building shall be used to store only vehicles, including recreation vehicles, boats, and trailers. All vehicles must be registered. Carports in front of the main building shall not be used to store any other items.
- (E) Adjustments. The Director of Planning and Development Services shall be authorized to make minor adjustments so that minor deviations may be resolved administratively. Minor adjustments shall be limited to dimensional adjustments that do not constitute a decrease of more than twenty percent (20%) for setbacks and building design (i.e., architectural design of the accessory structure).”

SECTION 2 ACCORDANCE WITH COMPREHENSIVE PLAN AND PURPOSES OF ZONING

The City Council finds that the changes to the zoning districts, boundaries, regulations, and uses as herein established have been made in accordance with the City’s zoning code and comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the community. They have been designed to efficiently plan, control, and organize development, lessen congestion in the streets, secure safety from fire, panic, flood, and other dangers, provide adequate light and air, prevent overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of transportation, water, sewerage, parks, and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 3 ORDINANCE CUMULATIVE

This Ordinance shall be cumulative of all other ordinances of the City affecting zoning and land use and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

**SECTION 4
PENALTY**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than two thousand dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense. In addition, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

**SECTION 5
SAVINGS**

All rights or remedies of the City are expressly saved as to any and all violations of Chapter 90 of the Richland Hills Code, as amended, or any other ordinance affecting zoning and land use 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, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6
SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section 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 phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 7
PUBLICATION**

The City Secretary of the City is hereby directed to publish in the official newspaper of the City the caption, penalty clause, and effective date clause of this Ordinance as required by law.

**SECTION 8
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS ___ DAY OF ___, 2025.

THE HONORABLE MAYOR CURTIS BERGTHOLD

ATTEST:

LINDSAY RAWLINSON, CITY SECRETARY

EFFECTIVE DATE: _____