

ORDINANCE NO. 26-XXX

AN ORDINANCE AMENDING THE CITY OF KILLEEN ZONING ORDINANCE BY CHANGING THE ZONING OF APPROXIMATELY 2.0 ACRES BEING LOT 1, BLOCK 1, MCCLURKAN ADDITION FROM “B-3” (LOCAL BUSINESS DISTRICT) TO “B-3” (LOCAL BUSINESS DISTRICT) W/CONDITIONAL USE PERMIT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code and Section 31-39 of the City of Killeen Code of Ordinances, the City Council, upon application, may amend the City of Killeen Zoning Ordinance following a recommendation by the Planning and Zoning Commission and a public hearing;

WHEREAS, Vincent Gerard & Associates, on behalf of behalf of First Assembly of God Inc., presented to the City of Killeen, a request for an amendment to the City of Killeen Zoning Ordinance by changing the classification of approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition, locally addressed as 7432 East Trimmier Road, from “B-3” (Local Business District) to “B-3” (Local Business District) with a Conditional Use Permit (CUP) for the installation of a wireless telecommunication tower with conditions as follows:

1. The project will substantially comply with the Site Plan.
2. The project will comply with requirements for collocation, screening, lighting, and site development per Sec. 31-604, 31-606, and 31-609 prior to issuance of Certificate of Occupancy.
3. Parking areas and drive aisles will be constructed with an all-weather surface (asphalt or concrete) per Sec. 31-487.
4. The site design shall maximize use of existing trees and vegetation, and landscape screening shall be installed and maintained per Sec. 31-609 (a)(6).
5. The applicant shall construct a public sidewalk along the street frontage to connect the existing sidewalks.

6. Permits shall expire if not constructed within six (6) months, not put into use within one hundred twenty (120) days after construction, or discontinued for more than six (6) consecutive months, unless extended per Sec. 31-610.
7. The permittee shall notify the director of changes in ownership or operation of the tower within thirty (30) days.

WHEREAS, the Planning and Zoning Commission of the City of Killeen, following a public hearing on May 11, 2026, duly recommended approval of the application for amendment, subject to an additional condition requiring the tower to be camouflaged as a tree;

WHEREAS, due notice of the filing of said request and the date of hearing thereon was given as required by law, and hearing on said request was set for 3:00 P.M., on June 16, 2026, at the City Hall, City of Killeen; and

WHEREAS, the City Council at said hearing duly considered said request, the action of the Planning and Zoning Commission, and the evidence in support thereof, and the City Council being of the majority opinion that the applicant's zoning request should be approved as recommended by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KILLEEN:

SECTION I. That the zoning classification of approximately 2.0 acres, being Lot 1, Block 1, McClurkan Addition, locally addressed as 7432 East Trimmier Road, from "B-3" (Local Business District) to "B-3" (Local Business District) with a Conditional Use Permit (CUP) for the installation of a wireless telecommunication tower with conditions.

SECTION II. That should any section or part of this ordinance be declared unconstitutional or invalid for any reason, it shall not invalidate or impair the validity, force, or effect of any other section or parts of this ordinance.

SECTION III. That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION IV. That this ordinance shall take effect immediately upon passage of the ordinance.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 16th day of June 2026, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, § 551.001, *et seq.*

APPROVED:

Joseph Soloman, MAYOR

ATTEST:

Laura J. Calcote, CITY SECRETARY

APPROVED AS TO FORM

Holli C. Clements, CITY ATTORNEY

Case #26-10

Ord. #26-___