

AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN FOR THE CITY OF KILLEEN, TEXAS, PURSUANT TO CHAPTER 213 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of the Texas Local Government Code requires that zoning regulations be adopted in accordance with a comprehensive plan; and,

WHEREAS, Chapter 213 of the Texas Local Government Code (“Chapter 213”) provides that municipalities may adopt comprehensive plans for the purposes of promoting the sound development of the municipality and promoting public health, safety, and welfare; and

WHEREAS, Chapter 213 further provides that the municipality may define the content and design of a comprehensive plan, and define the relationship between the comprehensive plan and the city's land use and development regulations; and

WHEREAS, Chapter 213 allows a comprehensive plan to be adopted by ordinance following a public hearing; and,

WHEREAS, it is the intent of the City Council to achieve orderly and fiscally sustainable growth, redevelopment, and revitalization in Killeen; and

WHEREAS, the comprehensive plan contains general policies that are proposed to be used by the City in the preparation of land use and development ordinances, in decisions regarding the provisions of City services and capital improvements, and in other policy considerations by City Council and its various boards, commissions and committees; and

WHEREAS, the City Council engaged the Comprehensive Plan Advisory Committee and Planning and Zoning Commission, in association with City staff and paid consultants, to undertake a series of studies, public meetings, and public workshops in the development of the components of the comprehensive plan; and

WHEREAS, on the 26th day of July, 2022, the Comprehensive Plan Advisory Committee, in compliance with the City charter, ordinance, and state law, reviewed and made recommendation to the City Council by a majority vote to approve the comprehensive plan; and

WHEREAS, on the 1st day of August, 2022, the City's Planning and Zoning Commission in compliance with the City charter, ordinance, and state law, and after holding a public hearing thereon, made recommendation to City Council by a majority vote to approve the comprehensive plan; and,

WHEREAS, the City Council finds that a public hearing was held on as required by law, and the Council has heard and considered all comments made at said hearing or in writing, along with the official recommendations of the Comprehensive Plan Advisory Committee and the Planning and Zoning Commission;

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

SECTION 1. That the City Council of the City of Killeen, Texas (“City Council”), hereby adopts the document entitled the City of Killeen Comprehensive Plan (“the Comprehensive Plan”), as attached hereto and incorporated herein for all purposes, as the City's comprehensive plan.

SECTION 2. The Comprehensive Plan is hereby declared to be the plan for the development of this community and will be used as a guide and companion document to the land use and development regulations of the City. Notwithstanding the foregoing, the City recognizes that circumstances may change in ways not anticipated by the elements of the Comprehensive Plan, and the City Council reserves the right to legislatively determine that the Plan needs amendment, for example, by allowing for different land use classifications than shown on the Future Land Use Map, or alterations of roadways shown on the Killeen Thoroughfare Plan Map. Any such amendment shall not be granted without careful study and consideration but must be made only on a showing of substantially changed circumstances. City Council may refer any requested change to the Plans and their elements back to City staff and such committees as may be appropriate, including the Planning and Zoning Commission, for further study and recommendations.

SECTION 3. City Council reserves the right to amend the Comprehensive Plan at any time by adding or removing elements or by amending in part or in whole the elements listed in the Plans.

SECTION 4. That all ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 5. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION 6. That the Code of Ordinances of the City of Killeen, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That this ordinance shall be effective after its passage and publication according to law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 23rd day of August, 2022, 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

Debbie Nash-King, MAYOR

ATTEST:

APPROVED AS TO FORM:

Laura Calcote,
INTERIM CITY SECRETARY

Holli Clements,
INTERIM CITY ATTORNEY