

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS, AMENDING CHAPTERS 26 AND 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; PROVIDING FOR AMENDMENTS TO THE CITY'S SIGNAGE AND SUBDIVISION REGULATIONS; PROVIDING FOR STANDARDS REGARDING SUBDIVISION ENTRY FEATURES AND SUBDIVISION PERIMETER WALLS; 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, the City of Killeen, Texas 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 Texas Local Government Code;

WHEREAS, the City of Killeen has declared the application and enforcement of the City's zoning and subdivision regulations to be necessary for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare of the City;

WHEREAS, the City Council desires to amend its regulations pertaining to subdivision entry features and subdivision perimeter walls;

WHEREAS, the City Council finds that such amendments are necessary to protect the public health, safety, and welfare of the public;

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City of Killeen on the 17th day of June, 2024 at 5:00 p.m.;

WHEREAS, a public hearing was held by the City Council of the City of Killeen on the 17th day of September, 2024 at 3:00 p.m.; and

WHEREAS, due notice of all public hearings was provided as required by law.

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

SECTION I. That Chapter 26, Article IV, Division 6 of the City of Killeen Code of Ordinances is hereby amended by adding sections, to be numbered 26-192 through 26-199, which said sections read as follows:

[Secs. 26-192 – 26-199. - Reserved.](#)

SECTION II. That Chapter 26, Article IV of the City of Killeen Code of Ordinances is hereby amended by adding a division, to be numbered Division 7, which said division

reads as follows:

DIVISION 7. - Perimeter Walls and Entry Signs.

Sec. 26-200. – Applicability and exceptions.

(a) *Applicability.* This Division shall apply to all new residential subdivisions for which a subdivision plat is filed after the effective date of the ordinance from which this Division is derived.

(b) *Exceptions.* The requirements set out in this Division shall not apply to:

(1) The repair or replacement of an existing subdivision perimeter fence or wall in place prior to adoption of the ordinance from which this Division is derived.

(2) The repair or replacement of an existing subdivision entry feature in place prior to adoption of the ordinance from which this Division is derived.

Sec. 26-201. - Perimeter Walls.

(a) In order to provide a cohesive aesthetic appearance, all residential development that is bounded on any side by a collector or arterial roadway shall provide a perimeter wall along that roadway.

(b) For purposes of this section, a perimeter wall is an opaque masonry wall constructed along the right-of-way line at least six (6), but no taller than eight (8), feet in height, exclusive of caps on fence posts or pilasters. No additional fencing may be added to the wall. For purposes of this section, masonry shall be defined as brick, stone, precast concrete, or other similar masonry material of equal character, density, and design. In cases where a required perimeter wall abuts a public or private open space amenity, a wrought iron style fence may be provided instead of an opaque masonry wall.

(c) It is intended that all walls erected pursuant to this section be constructed in such a manner to last 30 years with minimal maintenance required during said period.

(d) Responsibility for the maintenance and integrity of the perimeter wall or portions thereof shall fall to the homeowners' or property-owners' association, or in the case there is not such an association, the property owner on whose lot line the wall is situated.

(e) A plat note describing the location of the proposed wall shall be included on the preliminary plat and final plat.

(f) Detail plans for walls shall be submitted with the construction plans for public improvements. Walls shall conform to the requirements of this code governing

sight distance for traffic safety.

(g) Prior to the City's acceptance of the public improvements for each phase, the developer must complete all walls required therein.

(h) A five-foot (5') access easement shall be provided along the back and sides of the property abutting the wall for maintenance purposes.

Sec. 26-202. - Subdivision Entry Features.

Subdivision entry features may be located at primary entrances into a residential development, subject to the following standards:

(a) Up to two (2) subdivision entry features are permitted at the primary entrance into a residential subdivision. If the subdivision has entrances on two different major or minor arterial roadways, up to two (2) subdivision entry features may be placed at the entrance on each of the arterial roadways.

(b) Subdivision entry features may include signage advertising only the name or logo of the development. Signs shall not include any advertising or business names or logos. The area of the sign face, not inclusive of the entry feature, shall not exceed fifty (50) square feet per sign face.

(c) The overall height of a subdivision entry feature shall not exceed sixteen (16) feet.

(d) Subdivision entry features must be constructed of stone, brick, or other masonry material(s). Metal and wood accents are permitted. Plastics shall be permitted for any portion of the entry feature or sign.

(e) A subdivision entry feature may include external uplighting lighting in accordance with section 31-899.

(f) Signage on a subdivision entry feature may be externally lit or backlit but shall not be internally lit. Electronic message displays, LED light displays, and neon signs are not permitted on subdivision entry features.

(g) Subdivision entry features located outside of the right-of-way must be set back a minimum of five (5) feet from the property line, outside of the required sight triangle, and outside of any drainage easement.

(h) Subdivision entry features may be located within the right-of-way at the discretion of the City Engineer upon execution of a right-of-way license agreement.

(i) Subdivision entry features must provide a landscaped area equal to twice the area of the sign face, providing one (1) five-gallon shrub for every ten (10) square feet of landscaped area. An automated irrigation system shall be provided. The homeowners' or property-owners' association shall be responsible for the maintenance of the landscaped area and sign.

(j) Subdivision entry features shall not be located in a side or rear yard which is adjacent to another lot designated for residential use.

SECTION III. That Chapter 31 of the City of Killeen Code of Ordinances is hereby amended as follows:

Sec. 31-186. Use regulations.

A building or premises in a district "R-1" single-family residential district shall be used only for the following purposes:

- (14) ~~A s~~Subdivision entry ~~sign~~features, as described in Section 26-202 of this code. ~~when such sign is located on a lot that abuts a subdivision boundary and fronts on a street entering the subdivision. Such sign:~~
- ~~a. Shall not have a sign face which exceeds a total of twenty-four (24) square feet; and~~
 - ~~b. Shall not exceed six (6) feet in height; and~~
 - ~~c. Shall not be located in a side or rear yard which is adjacent to any other lot designated for residential use; and~~
 - ~~d. Shall advertise only the name of the subdivision.~~

SECTION IV. 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 V. 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 VI. 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 VII. 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 17th day of September, 2024, 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 J. Calcote, CITY SECRETARY

Holli C. Clements, CITY ATTORNEY