

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF CERTAIN PROPERTY OUT OF THE CITY OF KILLEEN, BELL COUNTY, TEXAS, FROM “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) TO “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR CONTINUED USE OF A PRIVATE RESIDENTIAL POCKET PARK; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Central Texas Youth Services Bureau has presented to the City of Killeen a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of Lot 56, Block 3, Copper Mountain One, Phase II, being locally known as 2812 Bacon Ranch Road, from “R-1” (Single-family Residential District) to “R-1” (Single-family Residential District) with a Conditional Use Permit (CUP) for continued use of a private residential pocket park, said request having been duly presented and recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 1st day of May 2017 with the following conditions:

- the CUP is approved for a period of five years
- the applicant shall maintain a sign prominently denoting the contact information for the park ownership group
- within 60 days from approval of the CUP, the applicant shall install a perimeter safety fence along the park’s eastern boundary, adjacent to the drainage feature
- at the time Bacon Ranch Road is extended, the applicant shall provide safety fencing along the right-of-way
- the property shall remain fully insured and a monthly inspection report shall be provided to the Planning staff
- the park shall be open to the public from daylight to dusk,

and 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 5:00 P.M., on the 23rd day of May 2017, at the City Hall, City of Killeen;

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 CUP zoning request should be approved;

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

SECTION I. That the zoning classification of Lot 53, Block 3, Copper Mountain One, Phase II, be changed from “R-1” (Single-family Residential District) to “R-1” (Single-family Residential District) with a Conditional Use Permit (CUP) for continued use of a private residential pocket park on this site with those conditions as recommended by the Planning and Zoning Commission.

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 23rd day of May 2017, 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:

Jose L. Segarra, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Case #17-12

Ord. #17-____