

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN PROVIDING FOR THE REPEAL OF CERTAIN EXTERIOR ARCHITECTURAL STANDARDS, 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 Local Government Code;

WHEREAS, the establishing of minimum regulations governing the construction, maintenance and use of property, buildings and structures is essential to protect the health, safety and general welfare of the public and property; and

WHEREAS, H.B. 2439 provides that a city may not adopt or enforce a rule, charter provision, ordinance, order, building code, or other regulation that:

(a) prohibits or limits, directly or indirectly, the use or installation of a building product or material in the construction, renovation, maintenance, or other alteration of a residential or commercial building if the building product or material is approved for use by a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; or

(b) establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building;

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

SECTION I. That Chapter 31, Article IV is amended as follows:

Chapter 31 – ZONING

ARTICLE IV. – DISTRICT REGULATIONS

Sec. 31-184. - ~~Architectural and~~ Landscaping regulations.

~~(a) Architectural design. Single family detached homes must have a minimum of 75% brick, stucco or stone for front exterior walls and 50% brick, stucco or stone veneer for side exterior walls, excluding doors, windows and gables.~~

~~(b)~~(a) *Landscaping required.* For residential uses, minimum required landscaping shall be two (2) canopy trees, with at least one (1) planted in the front yard, and eight (8) 3-gallon shrubs in the front yard.

Sec. 31-185.6. - ~~Architectural and~~ Landscaping regulations.

~~(a) Architectural design. Single family detached homes must have a minimum of eighty-five percent (85%) brick, stone or stucco for all exterior walls, excluding doors, windows and gables.~~

All attached garages in this district shall be constructed as side or rear entry. Detached front loading garages in this district shall be constructed at a minimum depth of forty-five (45) feet as measured from the front property line.

~~(b)~~ *Landscaping required.* For residential uses, minimum required landscaping shall be two (2) canopy trees, with at least one (1) planted in the front yard, and eight (8) 3-gallon shrubs in the front yard.

Sec. 31-195. - Area regulations.

~~(e) Architectural design. The same exterior architectural elevation may not be used within any grouping of five homes. Homes must have a minimum of 50% brick, stucco or stone veneer for exterior walls excluding doors, windows and gables.~~

Secs. 31-222. - ~~Architectural and~~ Landscaping regulations.

~~_(1) The architectural and landscaping regulations in the district "RT-1" residential townhouse single family district shall be the same as district "SR-1" suburban residential single family district.~~

(21) 35% of all common areas shall be devoted to open space.

Sec. 31-255.4. - Architectural design.

~~(a) Exterior wall treatment. Exterior walls of buildings fronting, siding, or backing on a public street shall be constructed of fifty percent (50%) native stone or brick.~~

(ba) The same front elevation may not be used within a grouping of five (5) lots. Variation in elevations shall include a minimum of three (3) of the following elements:

Sec. 31-256.4. - Architectural design.

~~(a) Exterior wall treatment. Exterior walls of buildings fronting, siding, or backing on a public street shall be constructed of fifty percent (50%) native stone or brick.~~

(ba) The same front elevation may not be used within a grouping of five (5) lots. Variation in elevations shall include a minimum of three (3) of the following elements:

~~Sec. 31-316. Architectural design requirements.~~

~~Exterior walls of buildings or structures fronting, siding, or backing up to a public street in the "B-3A" local business and retail alcohol sales district shall be constructed or retrofitted to include a minimum of fifty percent (50%) native stone, brick or stucco.~~

Sec. 31-316.7. - Architectural regulations.

~~_(1) Exterior walls shall be constructed of stone, brick or stucco.~~

(21) Windows shall be provided rather than blank walls. Windows shall begin from twelve (12) to thirty six (36) inches above the finished grade of the floor. A minimum of sixty (60%) percent of all glass which faces the street shall be ~~in nonreflective, transparent glazing glass. At this building level, darkly tinted or reflective glass shall not be used.~~ Window painting or ~~advertizing~~ advertising signs are not permitted.

Sec. 31-444. - Architectural design standards and requirements.

~~(b) Exterior walls shall be constructed of eighty (80) percent masonry excluding windows and doors with three coat stucco covering no more than sixty (60) percent of the façade. Masonry under this section shall be defined as construction composed of brick, concrete, natural rock, limestone, stone, hollow clay tile, decorative concrete block or tile, glass block or three coat stucco.~~

(eb) Windows and/or glass walls shall be provided on commercial building walls when visible from public rights-of-way. Windows shall makeup no less than ten (10) percent of the entire building facade. At a minimum, false windows may be used on rear and side walls visible from public streets.

(dc) Exterior walls exceeding fifty (50) feet in length facing public streets shall be articulated to reduce the mass and scale of a uniform impersonal appearance of large buildings and to provide visual interest. No uninterrupted length shall exceed fifty (50) feet and architectural features shall be provided with a minimum of four (4) of the following elements:

- (1) Variation in color and materials.
- (2) Wall plane projections or recesses having a depth of at least one (1) foot and extending at least three (3) feet. Colonnades may be used instead of the projections, or pilasters.
- (3) Projecting entrances, having clearly defined, highly visible, overhangs, canopies, peaked roof forms, raised corniced parapets over the door, or arches, or any combination of these.
- (4) Canopies projecting a minimum of four (4) feet from the plane of the primary façade walls. The minimum combined lengths of the canopies shall be at least fifty (50) percent of the length of the walls visible from public rights-of-way.
- (5) Banding shall be complimentary to scale with the building (as approved by the executive director of planning and development services).

(6) Repetitive ornamentation including decorated wall-mounted light fixtures. Such ornamentation shall be located with a maximum spacing of forty (40) feet.

(7) Stepped building faces (offsets in from elevation).

(~~ede~~) Where the exterior wall is on a side street faux architectural detailing and windows shall be created to simulate three (3) dimensional relief.

(~~fed~~) Roof designs must conform to one (1) of the following options:

(1) Roof line with architectural focal point(s) (refers to a prominent rooftop features(s) such as a peak, tower, gable, dome, barrel vault or roof line trellis structure).

(2) Where overhanging eaves are used they shall be two (2) or more feet beyond supporting wall with a minimum fascia width of eight (8) inches.

(3) Roof line variations may include:

a. *Projecting cornice.* Roof line articulated through a variation or step in cornice height of detail. Cornices must be located at or near the top of the wall or parapet.

b. *Pitched roof or full mansard.* A roof with angled edges and extended eaves no less than eight (8) feet in height.

c. *Three (3) roofline variations with a minimum of three (3) feet in height of parapet variation.* Variation to parapet height may include pilasters and projecting raised entrance features; with peaked roof forms or similar treatments.

(~~gf~~) Equipment placed on the roof of buildings shall be screened from view of the public.

(~~hg~~) The executive director of planning and development services or designee may grant an administrative approval to use design elements not listed when the intent of the regulations is met, or when special situations arise regarding the rear and sides of buildings.

Sec. 31-453. - Architectural design standards and requirements.

~~(b) Exterior walls shall be constructed of eighty (80) percent masonry excluding windows and doors with three-coat stucco covering no more than sixty (60) percent of the façade. Masonry under this section shall be defined as construction composed of brick, concrete, natural rock,~~

~~limestone, stone, hollow clay tile, decorative concrete block or tile, glass block or three coat stucco.~~

(~~eb~~) Windows and/or glass walls shall be provided on commercial building walls when visible from public rights-of-way. Windows shall makeup no less than ten (10) percent of the entire building facade. At a minimum, false windows may be used on rear and side walls visible from public streets.

(~~dc~~) Exterior walls exceeding fifty (50) feet in length facing public streets shall be articulated to reduce the mass and scale of a uniform impersonal appearance of large buildings and to provide visual interest. No uninterrupted length shall exceed fifty (50) feet and architectural features shall be provided with a minimum of four (4) of the following elements:

- (1) Variation in color and materials.
- (2) Wall plane projections or recesses having a depth of at least one (1) foot and extending at least three (3) feet. Colonnades may be used instead of the projections, or pilasters.
- (3) Projecting entrances, having clearly defined, highly visible, overhangs, canopies, peaked roof forms, raised corniced parapets over the door, or arches, or any combination of these.
- (4) Canopies projecting a minimum of four (4) feet from the plane of the primary façade walls. The minimum combined lengths of the canopies shall be at least fifty (50) percent of the length of the walls visible from public rights-of-way.
- (5) Banding shall be complimentary to scale with the building (as approved by the executive director of planning and development services).
- (6) Repetitive ornamentation including decorated wall-mounted light fixtures. Such ornamentation shall be located with a maximum spacing of forty (40) feet.
- (7) Stepped building faces (offsets in from elevation).

(~~ed~~) Where the exterior wall is on a side street faux architectural detailing and windows shall be created to simulate three-dimensional relief.

(~~fe~~) Roof designs must conform to one (1) of the following options:

- (1) Roof line with architectural focal point(s) (refers to a prominent rooftop features(s) such as a peak, tower, gable, dome, barrel vault or roof line trellis structure).
- (2) Where overhanging eaves are used they shall be two (2) or more feet beyond supporting wall with a minimum fascia width of eight (8) inches.
- (3) Roof line variations may include:

(A) *Projecting cornice.* Roof line articulated through a variation or step in cornice height of detail. Cornices must be located at or near the top of the wall or parapet.

(B) *Pitched roof or full mansard.* A roof with angled edges and extended eaves no less than eight (8) feet in height.

(C) *Three (3) roofline variations with a minimum of three (3) feet in height of parapet variation.* Variation to parapet height may include pilasters and projecting raised entrance features; with peaked roof forms or similar treatments.

(gf) Equipment placed on the roof of buildings shall be screened from view of the public.

(hg) The executive director of planning and development services or designee may grant an administrative approval to use design elements not listed when the intent of the regulations is met, or when special situations arise regarding the rear and sides of buildings.

SECTION II. 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 III. 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 IV. 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 V. 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 ~~27th~~10th day of ~~August~~September, 2019, 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

APPROVED AS TO FORM:

Kathryn H. Davis, CITY ATTORNEY

ATTEST:

Lucy C. Aldrich, CITY SECRETARY

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