

ORDINANCE _____

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; PROVIDING FOR SITE DEVELOPMENT PERMIT REGULATIONS; 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 development 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 the development of nonresidential and multifamily property with the City of Killeen;

WHEREAS, the City of Killeen finds it necessary to amend Chapter 31 of the Code of Ordinances to establish standard requirements for approval of a site development permit for the development of nonresidential and multifamily property with the City of Killeen;

WHEREAS, the Planning and Zoning Commission of the City of Killeen, duly recommended approval of the amendment;

WHEREAS, a public hearing was held by the City Council of the City of Killeen on the 16th day of September, 2025 at 3:00 p.m.;

WHEREAS, due notice of the public hearing was provided as required by law; and

WHEREAS, the City Council at said hearing duly considered said amendment, the recommendation of the Planning and Zoning Commission, and the evidence in support thereof, and the City Council being of the majority opinion that Chapter 31 of the Code of Ordinances should be amended.

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

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

ARTICLE VII. – SHORT TERM RENTAL REGISTRATION

Secs. 31-962—31-969. - Reserved.

ARTICLE VIII. – SITE DEVELOPMENT PERMIT REQUIRED

Sec. 31-970. - Purpose and intent.

- (a) Purpose. A formal administrative review process conducted by the City to evaluate proposed commercial and multi-family development for compliance with applicable zoning regulations, building codes, subdivision requirements, engineering standards, and other adopted development regulations.
- (b) Intent. The site development permit review process ensures that all elements of the site – such as building placement, parking, access, utilities, drainage, landscaping, and fire protection – conform to City ordinances and standards prior to the issuance of development or construction permits.

Sec. 31-971. - Applicability and exemptions.

- (a) Applicability and exemptions. Prior to any development other than single-family and two-family, an applicant must obtain a site development permit in accordance with this Article. No such development shall be lawful or permitted to proceed without final site plan approval. All improvements reflected on approved site plans must be constructed at the time of development. All terms and conditions of the site development permit must be met at the time of development.
- (b) Approval process. Site development permit applications shall be processed in accordance with the following requirements:
- (c) Pre-development meeting. Prior to the submission of a site development permit application, all potential applicants are strongly encouraged to request a pre-development meeting. The Development Services Department will facilitate and coordinate the pre-development meeting. The purpose of the meeting is to respond to any questions that the applicant may have regarding any application procedures, standards, or regulations required by this Code. Upon receipt of such request, the planning department shall afford the potential applicant an opportunity for a pre-development meeting at the earliest reasonable time.
- (d) Review and action by the Development Services Department. A site development permit application shall be submitted to the Development Services Department for review and approval prior to submittal of a building permit. If the proposed site plan is determined to be consistent with all applicable provisions of this Article and all other provisions of this Code, the Executive Director of Development Services, or designee, shall approve the site plan and so advise the applicant in writing. A determination that all such requirements and provisions have not been satisfied

shall result in disapproval of the site development permit and notice of such disapproval shall be given to the applicant in writing.

Sec. 31-972. - Approval criteria.

- (a) In order to be approved, a site plan shall be prepared by a licensed engineer, architect, or professional designer and shall demonstrate compliance with all development requirements of this Code. A site plan submitted for review shall provide the following information:
- (1) The recorded plat, legal description, or metes and bounds survey that legally describes the lot and street address;
 - (2) The location of all easements, building setbacks, fire lanes, and fire hydrants. All features must be fully dimensioned to allow for a comprehensive and accurate review;
 - (3) Driveway access, alignments, and spacing;
 - (4) Traffic control and handling;
 - (5) Sidewalks and pedestrian safety measures in accordance with Chapter 25 of this Code, particularly regarding sidewalk width, placement, and conformance with the Americans with Disabilities Act. Additionally, sidewalks should align with the City of Killeen Trails Master Plan, where applicable;
 - (6) Proposed location of water and sewer infrastructure, and any proposed connections or extensions;
 - (7) Internal access and pedestrian and vehicular circulation (public, private, and emergency);
 - (8) Off-street parking, loading, and maneuvering areas in accordance with the requirements of this Chapter;
 - (9) Screening requirements in accordance with the provisions of this Chapter;
 - (10) Location of any FEMA designated Special Flood Hazard Area (SFHA) and demonstrated conformance with the floodplain damage prevention provisions in Chapter 12 of this Code;
 - (11) Stormwater runoff, drainage, flood control, and onsite detention in accordance with Chapter 32 of this Code;
 - (12) Sign location requirements in accordance with the provisions of this Chapter;
 - (13) Refuse storage areas, including screening and accessibility in accordance with the requirements of this chapter and Chapter 24 of this Code;
 - (14) Screening of mechanical areas and equipment in accordance with the requirements of this chapter;
 - (15) Location of all existing and proposed buildings or structures, relevant topographic features, and other site characteristics. The design should demonstrate consistency with accepted engineering practices and principles;
 - (16) Landscape plans demonstrating conformance with the landscaping provisions of this Chapter;
 - (17) Lighting site plan or photometric plan demonstrating conformance with the lighting provisions of this Chapter;
 - (18) Compliance with any additional site plan approval criteria required for zoning districts or any site plan approval criteria adopted as part of a Planned Unit

- Development, Conditional Use Permit, zoning overlay, or other applicable special area designation;
- (19) City of Killeen Traffic Impact Analysis worksheet in accordance with Chapter 26 of this Code, which may result in a requirement for a complete Traffic Impact Analysis; and
 - (20) A pre-approval letter from TXDOT for access to any TXDOT roads or drainage.

Sec. 31-973. - Required documents.

- (a) Civil engineering plan files must be uploaded as a completed PDF package with a cover sheet. Individual sheets are not allowed. A valid commercial site plan application shall include the following items as a minimum, or the applicant shall provide a written explanation stating why the required information is not required to convey the design intent:
 - (1) Cover sheet;
 - (2) Preliminary or final plat;
 - (3) Impervious cover table;
 - (4) Drainage report;
 - (5) General notes, abbreviations, and legend sheet;
 - (6) Existing conditions plan (including existing utilities);
 - (7) Demolition plan (if required);
 - (8) Fire protection plan (if required);
 - (9) Erosion and sediment control plan with details;
 - (10) Overall site plan;
 - (11) Overall signage and striping layout with details;
 - (12) Overall traffic control with details;
 - (13) Phasing plan and/or overall development layout;
 - (14) Overall water layout;
 - (15) Overall wastewater layout;
 - (16) Overall storm sewer / drainage system layout;
 - (17) Overall dry utilities layout (if required);
 - (18) Overall street network / circulation sheets (as required);
 - (19) Overall grading plan sheets;
 - (20) Street / paving plan and profile sheets;
 - (21) Intersection plan and profile sheets, including sidewalk ramp requirements/grading;
 - (22) Water system plan and profile sheets;
 - (23) Pump station plans (if required);
 - (24) Wastewater system plan and profile sheets;
 - (25) Lift station plans (if required);
 - (26) Grading sheet with proposed contours and spot elevations;
 - (27) Drainage system design sheets for existing and proposed conditions;
 - (28) Retaining wall sheets;
 - (29) Solid waste plan sheets;
 - (30) Landscape plan sheets;
 - (31) Lighting plan sheets;
 - (32) City of Killeen standard detail sheets;

- (33) Special details sheets;
- (34) Draft Maintenance Easement, Covenant and Agreement (MECA);
- (35) Stormwater management site plan (SWMSMP);
- (36) Warranty deed for properties being developed; and
- (37) Other relevant data and information, as determined by the project professional.

Sec. 31-974. - Commercial site plan design standards.

All site development permit components must be designed in compliance with the City of Killeen Code of Ordinances, and all relevant zoning district requirements, design manuals, master plans, comprehensive plans, and any applicable state and federal requirements. In case of a conflict, the more stringent standard shall apply, as interpreted by the City Engineer or Executive Director of Development Services.

Sec. 31-975. - Commercial site plan area of development.

A site development permit shall include the entire area within the legal boundaries of the tract for which it is proposed. However, the area included in a commercial site plan may be reduced to reflect the actual area of development in the situations listed below. The development boundary shall be the same used for all components of the commercial site plan and shall be scaled such that all requirements applicable to the commercial site plan can be met within that boundary.

- (a) The area of development is part of a much larger tract whereby the area encompasses less than fifty percent (50%) of the total tract.
- (b) The proposed improvements are part of a larger campus where the areas are designed to function relatively independent of each other.
- (c) The excluded area is to remain undeveloped and in its natural state.
- (d) The improvements are proposed to be added to an existing site, provided:
 - (1) No improvements are proposed to the excluded area.
 - (2) Review of the excluded area is not necessary for review of the area of development.
 - (3) The improvements proposed within the area of development are not dependent on improvements located within the excluded area.
 - (4) No retrofitting of existing site improvements is required.
- (e) Other similar circumstances at the discretion of the Executive Director of Development Services, or designee.

Sec. 31-976. - Commercial site plan phasing.

When development is proposed for a larger site with multiple buildings, an applicant may choose to partition the site and construct the improvements in a series of phases as follows:

- (a) The commercial site plan submittal shall include a phasing plan indicating the boundaries of each phase and the order of construction of associated site improvements.
- (b) No phasing plan shall propose more than five phases or exceed ten years. The

Executive Director of Development Services or designee may approve phasing more than this number if the applicant can justify such an increase.

- (c) The proposed order of phasing shall follow a logical progression and, in the event subsequent phases are not built, must meet the minimum requirements of the City of Killeen code of ordinances and related documents, including, but not limited to, parking, landscaping, tree mitigation, fire access and stormwater management.
- (d) Changes to a phasing plan shall meet the requirements of this Section and follow the procedures established for revisions to an approved site plan.

Sec. 31-977. - Minor site development permit.

Where the scope of required or proposed site improvements is limited, as herein defined, a minor site development review process may be utilized subject to the provisions below.

- (a) *Determination of minor site development review.* A minor site development permit submittal may be considered when the extent, type or size of the site improvements is such that review of all standard commercial site plan components, as identified in this Article, is not necessary, as determined at the discretion of the Executive Director of Development Services, or designee. Typical situations qualifying for minor commercial site plan review may include, but not be limited to, improvements required due to a use change, a small addition to a building over existing impervious coverage, installing parking lot striping on an existing parking lot, replacement of a site's landscaping, or where only one component of a minor commercial site plan is required.
- (b) A minor site development permit review shall not be utilized when:
 - (1) Site improvements are proposed to a property where no development has otherwise occurred, except in unique situations as determined by the Executive Director of Development Services or designee.
 - (2) The proposed project requires preparation of a Traffic Impact Analysis (TIA).
 - (3) The proposed project requires preparation of a stormwater drainage study, although some drainage information may be reviewed as part of a minor site development permit.
 - (4) A new building(s) over 1,000 square feet is proposed.
 - (5) A building addition is proposed more than 1,000 square feet or twenty percent (20%) of the existing building's square footage, whichever is less.
 - (6) The intended project requires or proposes more than six (6) parking spaces.
 - (7) Similar situations at the discretion of the Executive Director of Development Services, or designee.
- (c) *Components of a minor site development permit.* The components required for a minor site development permit application shall be those determined by the Executive Director of Development Services, or designee, to verify conformance of with the provisions of this Code.

Sec. 31-978. - Expiration.

- (a) *Expiration.* A site development permit plan shall expire 24 months after the date that it was approved, unless:

- (1) A building permit application has been approved or, if no building permit is required, a Certificate of Occupancy has been issued.
 - (2) In case of projects where more than one building or phase is to be built, the applicant may submit a series of Building Permit applications. The first application must be approved within 24 months from the date the commercial site plan approval is granted. Each subsequent application must be approved within 24 months from the date of issuance of a Certificate of Occupancy, conditional or otherwise, by the Building Official for the previous phase of the development.
 - (3) Except as provided for within this Section, a lapse of a period greater than those set forth above causes the related approvals or permits to expire and be of no further force and effect. Any further action shall require a new application and approval.
- (b) Extension. Before expiration of an approved site development permit, an applicant may request, in writing, a one-time extension of 24 months. Approval of the extension is at the discretion of the Executive Director of Development Services, or designee, and only if it is determined that such extension will have no negative impacts on the surrounding area and would not be contrary to the public interest.
- (c) Reinstatement. In the event a commercial site plan approval expires, an applicant may request, in writing, a one-time reinstatement of the approved commercial site plan, without modification, subject to the provisions below. Such reinstatement may be granted by, and at the discretion of, the Executive Director of Development Services, or designee, for a period not exceeding 24 months.
- (1) The reinstatement must be requested within 24 months of the expiration date of the approved commercial site plan.
 - (2) The regulations applicable to the project per the Code currently in effect have not been determined to be significantly different from those applied to the original approval of the commercial site plan, such that a new application for the same plan would be substantially the same.
 - (3) The circumstances of the adjacent properties, roadways and subject property shall have remained the same, not to change the requirements applicable to the property. Such circumstances could include, but not be limited to, a change of zoning in the subject or adjacent properties, a change in the boundary of the subject property, a change in classification of the adjacent roadway or neighboring construction affecting landscape buffers.
- (d) The Executive Director of Development Services, or designee, shall have the authority to determine if a commercial site plan extension or reinstatement meets the criteria for processing and approval.

Sec. 31-979. – Inspection required.

- (a) A site development permit inspection shall be required in accordance with Section 8-29 of this code prior to submittal of an application for a Certificate of Occupancy.

Secs. 31-980 - 31-989. - Reserved.

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 take effect October 1, 2025.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 16th day of September, 2025, 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:

Laura J. Calcote, CITY SECRETARY

APPROVED AS TO FORM

Holli C. Clements, CITY ATTORNEY