

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; PROVIDING FOR EMERGENCY SHELTERS, TRANSITIONAL HOUSING, AND PERMANENT SUPPORTIVE HOUSING FOR PERSONS EXPERIENCING HOMELESSNESS AS PERMITTED USES IN “R-3A” (MULTIFAMILY APARTMENT RESIDENTIAL DISTRICT); 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 City of Killeen has declared the application and enforcement of the City’s zoning regulations to be necessary for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare of the City; and,

WHEREAS, the City Council desires to amend district regulations to preserve and enhance surrounding property values; and,

WHEREAS, the City Council finds that such amendments are necessary and will provide consistent and even application of zoning regulations to all applicants;

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 as follows:

Sec. 31-2. Definitions.

Emergency shelter for persons experiencing homelessness shall mean a supervised private facility that provides temporary living accommodations for persons experiencing homelessness.

Permanent supportive housing shall mean a facility providing indefinite leasing or rental assistance with supportive services for disabled persons experiencing homelessness.

Transitional housing shall mean a facility providing temporary housing with supportive services to individuals and families experiencing homelessness with the goal of interim stability and support to successfully move to and maintain permanent housing.

Sec. 31-256.1. Use regulations.

- (a) *Uses.* A building or premises in an R-3A multifamily apartment residential district shall be used only for the following purposes:
- (1) Any use permitted in the R-1 or R-2 districts.
 - (2) Apartment complexes.
 - (3) Boarding and lodging houses.
 - (4) Fraternity or sorority houses.
 - (5) Dormitories for educational or employment purposes as a primary use.
 - (6) Any group housing activity not otherwise identified in another multifamily or business district.
 - (7) Accessory buildings and uses, customarily incident to the above uses and located on the same lot therewith, not involving the conduct of a business.
 - (8) Emergency shelter for persons experiencing homelessness.
 - (9) Transitional housing.
 - (10) Permanent supportive housing.
- (b) *Planned unit development required.* Rezoning applications requesting zoning under this division shall be subject to the requirements of 31-256.9 of this division, if applicable.

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 12th day of July, 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:

Lucy C. Aldrich, CITY SECRETARY

~~Traci S. Briggs~~ Holli C. Clements, Interim
CITY ATTORNEY