

**ORDINANCE NO. 25-XXX**

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP BY CHANGING THE DESIGNATION OF APPROXIMATELY 0.59 ACRES, BEING OUT OF THE JOHN ESSARY SURVEY, ABSTRACT NO. 296, FROM A FLOODPLAIN DESIGNATION TO A NEIGHBORHOOD COMMERCIAL DESIGNATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Killeen finds that section 213.003 of the Local Government Code enables municipalities to amend comprehensive plans in the interest of coordinating long-range development of the municipality;

**WHEREAS**, pursuant to section 31-39 of the City of Killeen Code of Ordinances, the City Council, upon application, may amend the Comprehensive Plan, including the Future Land Use Map (FLUM), following a recommendation by the Planning and Zoning Commission and a public hearing;

**WHEREAS**, Quintero Engineering, on behalf of Nozad Realty, LLC, presented to the City of Killeen, a request for an amendment to the Comprehensive Plan's FLUM by changing the classification of approximately 0.59 acres, out of the John Essary Survey, Abstract No. 296, locally addressed as 3019 Florence Road, from a Floodplain designation to a Neighborhood Commercial designation;

**WHEREAS**, the Planning and Zoning Commission of the City of Killeen, following a public hearing on February 24, 2025, duly recommended disapproval of the application for amendment;

**WHEREAS**, 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 3:00 P.M., on April 1, 2025, at the City Hall, City of Killeen; and

**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 applicant's zoning request should be approved.

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

**SECTION I:** That the future land use designation of approximately 0.59 acres, being approximately 0.59 acres out of the John Essary Survey, Abstract No. 296, locally addressed as 3019 Florence Road, be changed from a Floodplain designation to a Neighborhood Commercial designation, said request being duly recommended for disapproval of the Neighborhood Commercial designation.

**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 1<sup>st</sup> day of April 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:**

\_\_\_\_\_  
**Debbi Nash-King, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**Laura J. Calcote, CITY SECRETARY**

**APPROVED AS TO FORM**

\_\_\_\_\_  
**Holli C. Clements, CITY ATTORNEY**

Case #: FLUM 25-01

Ord#: 25-\_\_\_\_