

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS ESTABLISHING THE NORTH KILLEEN REVITALIZATION PROGRAM FOR THE ENCOURAGEMENT OF REVITALIZATION AND ECONOMIC GROWTH; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the Killeen City Council appointed a Comprehensive Plan and Northside Subcommittee made up of three City Council members and three Planning and Zoning Commissioners to discuss and make recommendations regarding the revitalization of North Killeen;

WHEREAS, the Comprehensive Plan and Northside Redevelopment Subcommittee recommends the adoption of the North Killeen Revitalization Program;

WHEREAS, the City Council at said hearing duly considered said recommendation, and the City Council being of the majority opinion that the North Killeen Revitalization Program should be approved;

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

SECTION I. That the City of Killeen adopts the following North Killeen Revitalization Program:

SECTION II.

NORTH KILLEEN REVITALIZATION PROGRAM

I. GENERAL PURPOSE

The purpose is to promote the development and redevelopment of North Killeen as depicted in Figure 1.1. This program includes incentives for residential and commercial/business structures' rehabilitation, expansion and/or new construction. The structure for which the improvement is proposed must be brought up to current building codes allowing for non-conforming lots as described in section IV (a). By adopting this program the City intends to provide incentives by waiving certain fees for a period of five (5) years beginning on the date of City Council adoption of this program.

II. DEFINITIONS

"Eligible Rehabilitation" includes physical improvements to real property to include structural, roof, foundation rehabilitation, exterior and interior improvements to bring up to code or exceed minimum requirements such as electrical, plumbing and HVAC improvements. Eligible rehabilitation does NOT include personal property (such as furniture, appliances, equipment, and/or supplies).

"New Construction" is a newly constructed structure for residence or conduct of business requiring a permanent foundation. This excludes accessory structures such as sheds and incidental out buildings.

III. FEE WAIVERS

A. ELIGIBLE RECIPIENTS/PROPERTIES

1. In order for a property owner/developer to be eligible to apply for fee waivers, the property owner/developer:
 - a. must submit an application to the City;
 - b. must not be delinquent in paying property taxes for any property owned by the owner/developer or applicant;
 - c. must not have any City liens filed against any property owned by the applicant property owner/developer or must have initiated a payment program with the City of Killeen to include a 25% down payment against liens owed and payment schedule set.
2. Approval of the application and waiver of the fees shall not be deemed to be approval of any aspect of the project. All projects are subject to and must comply with all applicable local, State and Federal laws. Before construction, the applicant must ensure that the project is located in the correct zoning district.

B. DEVELOPMENT FEES

1. Once the application for incentives has been approved by the City, the following fees for services performed by the City of Killeen shall be waived for new construction or rehabilitation projects that expend a minimum of \$2,000:
 - a. All building permit related fees (including plans review and inspections)
 - b. Plat application fee (including preliminary plat, final plat, minor plat and replat)
 - c. Board of Adjustment application fee
 - d. Demolition permit fee
 - e. Zoning application fee for properties seeking a zoning change to fit current property use
 - f. Sign permit fees
2. If a permit or application listed in B (1) is expired, the fee to reactivate, renew or reapply shall not be waived. In addition, penalties and extension fees or re-permitting fees will not be waived.
3. Other development related fees not specified above may be considered for approval by the City Manager or his designee.

IV. DEVELOPMENT STANDARDS

A. NON-CONFORMING LOTS/STRUCTURES

1. The minimum lot size for non-conforming properties located within the North Killeen Revitalization Area shall be 3600 square feet and will not be required to obtain approval from the Zoning Board of Adjustments.
2. The minimum building setbacks shall be 5 feet on each side, 10 feet on the rear and 20 feet on the front of each lot.
3. The 50% rule for reconstructing non-conforming structures/uses will be waived for properties located within this area.

V. PROCEDURAL STEPS

A. APPLICATION SUBMISSION

1. The applicant must complete and submit a City of Killeen "Application for Incentives" to the City Manager, or his designee.

2. The Planning and Economic Development Department will review the application for accuracy and completeness. A complete application must include proof that:
 - a. The project is located the North Killeen Revitalization Area; and
 - b. The project is in compliance with the adopted North Killeen Revitalization Program.
3. Once the Planning and Economic Development Department determines that the application is complete and that the applicant is eligible to receive incentives, the application will be forwarded to the City Manager or his designee for approval.

B. INELIGIBLE PROJECTS

1. The following projects shall not be eligible for any incentives under the City of Killeen's North Killeen Revitalization Program:
 - a. Sexually oriented businesses
 - b. Non-residential mobile structures
 - c. Manufactured housing

C. DENIED APPLICATIONS

1. Applications will be deemed denied 30 calendar days after submission if all required documentation is not received by the City.

SECTION III. 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 IV. That should any section or part of any section or paragraph 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 V. 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 VI. 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 22nd day of September 2015, 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:

Scott Cospers, MAYOR

ATTEST:

Dianna Barker, CITY SECRETARY

APPROVED AS TO FORM

Kathryn H. Davis, City Attorney

Ord. #15-__