

AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN; AMENDING THE BOUNDARIES OF THE HISTORIC OVERLAY 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 the boundaries of the Historic Overlay District (HOD) to remove the property locally addressed as 507 North Gray Street from the District; and,

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

WHEREAS, said amendment was duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 16th day of May 2022, and due notice of the filing of said request and the date of hearing thereon was given as required by law, and a public hearing on said amendment was set for 5:00 p.m. on the 28th day of June 2022 at the City Hall, City of Killeen;

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 boundaries of the Historic Overlay District (HOD) should be amended as recommended by the Planning and Zoning Commission;

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. 31-391. Definitions.

Historic overlay district shall mean all property located within the historic district as ~~identified in the 2008 historic resources survey and~~ described as:

~~Point of beginning intersection of Santa Fe Plaza Drive and 8th Street; thence north 14 deg. 30' 0.60" east 537.46 feet; thence south 76 deg. 9' 7" east 198.66 feet; thence north 13 deg. 56' 53" east 424.30 feet; thence north 76 deg. 3' 17" west 764.08 feet; thence south 15 deg. 7' 45" west 248.06 feet; thence north 75 deg. 43' 33" west 196.48 feet; thence south 14 deg. 10' 31" west 736.10 feet; thence south 75 deg. 30' 5" east 384.33 feet; thence north 13 deg. 13' 32" east 31.89 feet; thence south 75 deg. 43' 59" east 378.61 feet to the point of the beginning.~~

Point of beginning intersection of Santa Fe Plaza Drive and 8th Street; thence north 14 deg. 15' 40" east 528.256 feet; thence south 76 deg. 23' 47" east 186.989 feet; thence north 14 deg. 38' 17" east 515.418 feet; thence north 75 deg. 34' 30" west 630.255 feet; thence south 14 deg. 14' 35" west 129.342 feet; thence north 75 deg. 34' 56" west 168.658 feet; thence south 14 deg. 28' 14" west 195.764 feet; thence north 75 deg. 19' 50" west 186.635 feet; thence south 13 deg. 55' 59" west 757.510 feet; thence south 75 deg. 32' 57" east 414.775 feet; thence north 11 deg. 22' 27" east 38.420 feet; thence south 75 deg. 09' 51" east 378.691 feet to the point of the beginning.

A map of the area described is available in the city planning office.

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 28th day of June, 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, CITY ATTORNEY