

## ORDINANCE 08-104

**AN ORDINANCE ADOPTING A LAND USE PLAN FOR THE DEVELOPMENT OF LAND LOCATED WITHIN THE STAGECOACH ANNEXATION AREA; ESTABLISHING THE RELATIONSHIP OF THE LAND USE PLAN AND DEVELOPMENT GUIDELINES; PROVIDING FOR THE AMENDMENT OF THE LAND USE PLAN; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council, per ordinance no. 08-006, agreed to complete a land use plan that would support the initial zoning of the Stagecoach region and provide additional protection by assuring that future zonings will be consistent with the land use plan; and

**WHEREAS**, the City Council finds that regulating land development through a land use plan within the Stagecoach region is necessary to protect the orderly growth and development of the area; and

**WHEREAS**, the City Council finds that future land uses within the Stagecoach region be consistent with the land Use Plan in order to prevent incompatible uses between existing development and future development and preserve a prevailing community character;

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

**Section I.** The Stagecoach Land Use Plan attached as an exhibit to this ordinance shall apply to all property located within the Stagecoach annexation region which was incorporated into the City of Killeen per ordinance 08-006. Any development existing as of the date of this ordinance that is not in compliance with this plan shall be considered non-conforming and may continue in its existing configuration but shall not be changed or expanded.

**Section II.** This Land Use Plan shall not relieve the developer or property owner from the responsibility to comply with all other applicable governmental regulations and instructions and code resolutions and ordinances of the City. In those instances where existing regulations and this Land Use Plan are in conflict the more stringent shall control.

**Section III.** An amendment to the Land Use Plan may be submitted by a citizen or an elected official or employee of the City of Killeen. Such amendment should state the applicant's reasons for submitting the recommended change. The proposed amendment shall be reviewed by the Planning and Zoning Commission. The City Council may approve an amendment by

ordinance following a public hearing at which the public is given the opportunity to give testimony and present written evidence.

**Section IV.** 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.

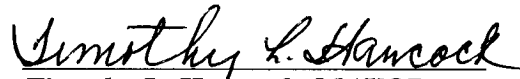
**Section V.** All ordinances and resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section VI.** 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.

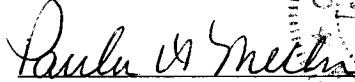
**Section VII.** This ordinance shall be effective after its passage and publication according to law.

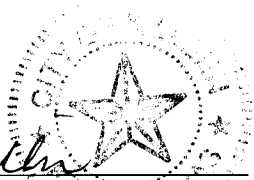
**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Killeen, Texas, this 16<sup>th</sup> day of December 2008, at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

**APPROVED:**


  
Timothy L. Hancock, MAYOR

**ATTEST:**

  
Paula A. Miller, CITY SECRETARY



**APPROVED AS TO FORM**

  
Kathryn H. Davis, City Attorney

Ord #08-\_\_\_\_\_.



**CITY COUNCIL MEMORANDUM FOR ORDINANCE**

**AGENDA ITEM**

**PLANNING AND ZONING COMMISSION  
LAND USE PLAN FOR THE STAGECOACH  
REGION**

**ORIGINATING DEPARTMENT <sup>TM</sup> PLANNING & DEVELOPMENT SERVICES**

**BACKGROUND INFORMATION**

The Stagecoach region consists of approximately 2.03 square miles, which is roughly 1,300 acres. The majority of this region lies south of Stan Schleuter Loop (FM 3470) between Trimmier Road and Cunningham Road, and north of Stagecoach Road. This area was annexed into the City of Killeen on January 22, 2008 as part of a three-year annexation process in accordance with Local government Code Section 43.052(c). The City Planning and Zoning Commission was tasked to: (i) initiate a land use study of the Stagecoach annexation area within twelve months of the effective date of the annexation; and (ii) provide a recommendation to City Council for a zoning concept plan of the area. The Planning and Zoning Commission has completed three public hearings on the land use plan (LUP) in accordance with the Stagecoach region annexation service agreement.

Purpose

The purpose of the LUP is to support the initial zoning of the Stagecoach region and provide additional protection by assuring that future zonings will be consistent with the land use plan. A land use plan is a collection of guidelines, maps, and other exhibits that serves as a community's blueprint for growth. The plan will be used to guide planning and development decisions in the Stagecoach region. The LUP should have a broad vision that describes the character this corridor should have for the future.

Neighborhood Characteristics

The Stagecoach region is made up of large undeveloped tracts, large lot single family homesites and conventional subdivisions. There are numerous platted subdivisions within the Stagecoach region as well as properties that have been divided by metes and bounds. The predominant land use is residential with some instances of business operations interspersed within the community. Land use and transportation are inextricably related and future growth and economic vitality depend upon a well-planned transportation network. The Thoroughfare Plan serves as the street hierarchy and classification plan for the City of Killeen. The Thoroughfare Plan lists arterials, collectors and local streets as the three street classifications within the Stagecoach region.

Arterial streets are those which are used primarily for higher speed and higher volume traffic. Routes for such streets shall provide for cross-town circulation and through-town movements.

Collector streets are those which carry traffic from minor streets to the major system of arterial streets, including the principal entrance, circulation streets of a residential development and streets for circulations within such a development of a residential subdivision. Local streets are those which are used primarily for access to abutting properties. The Thoroughfare Plan designates Trimmier Road, S. W.S. Young Drive, Stagecoach, and Featherline Roads as minor arterials with 90' of right-of-way. Onion Road and Love Road are designated as collectors with 70' right-of-way.

### Land Use Categories

The Land Use Plan includes three broad based categories including low density residential, medium density residential and commercial.

- Low density residential includes single-family residential development consisting of lots one acre and greater in overall size. This land use designation is intended to preserve the larger lot and ranch style development historically seen within the Stagecoach region.
- Medium density residential consists of single-family residential development on lots less than one acre in overall size. This designation is intended to serve subdivision development and more conventional lots as seen in the Wagon Wheel Subdivision.
- The Commercial designation will allow for a variety of uses commonly associated with low intensity business and neighborhood retail use. The commercial designation should support the residential uses in the Stagecoach region and reduce vehicle trips. Street intersections serve as logical place destinations for commercial development along arterials and collectors. Intersections capture traffic, and allow businesses a feasible location in which to anchor their services.

The LUP's fundamental purpose is to provide guidance about the appropriate land uses and development patterns for this area. It should also be effective in "looking ahead" in order to anticipate future land use patterns. The LUP should serve as a tool to be used by citizens, property owners, and City officials as they review specific development proposals. As the Stagecoach region continues to develop over time, it may become necessary to amend the LUP to add additional categories.

### **RECOMMENDATIONS**

Vice Chair Langford made a motion to recommend approval of the Stagecoach region land use plan and Commissioner Hicks seconded the motion. The motion carried 6 to 0 to send the proposed land use plan to the City Council for consideration.