

ORDINANCE _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF KILLEEN BY CHANGING THE ZONING OF APPROXIMATELY 6.589 ACRES OUT OF THE JOHN ESSARY SURVEY, ABSTRACT NO. 296, FROM “R-MH” (MOBILE HOME DISTRICT), “R-1” (SINGLE-FAMILY RESIDENTIAL DISTRICT), AND “R-MH” WITH A CONDITIONAL USE PERMIT (CUP) FOR A COMMUNICATION TOWER TO “R-MP” (MOBILE HOME AND TRAILER PARK DISTRICT) AND “R-MP” (MOBILE HOME AND TRAILER PARK DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) FOR A COMMUNICATION TOWER; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Eddie Bogard, P.E., on behalf of Florence HH MHP, LLC, has presented to the City of Killeen, a request for amendment of the zoning ordinance of the City of Killeen by changing the classification of approximately 6.589 acres out of the John Essary Survey, Abstract No. 296, from “R-MH” (Mobile Home District), “R-1” (Single-Family Residential District), and “R-MH” with a Conditional Use Permit (CUP) for a Communication Tower to “R-MP” (Mobile Home and Trailer Park District) and “R-MP” (Mobile Home and Trailer Park District) with a Conditional Use Permit (CUP) for a Communication Tower, said request having been duly recommended for approval by the Planning and Zoning Commission of the City of Killeen on the 15th day of March 2021, and 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 5:00 P.M., on the 13th day of April 2021, 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 the applicant’s zoning request should be approved as recommended by the Planning and Zoning Commission;

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

SECTION I. That the zoning classification of approximately 6.115 acres out of the John Essary Survey, Abstract No. 296, be changed from “R-MH” (Mobile Home District) to “R-MP” (Mobile Home and Trailer Park District); that the zoning classification of approximately 0.416 acres out of the John Essary Survey, Abstract No. 296, be changed from “R-1” (Single-Family Residential District) to “R-MP” (Mobile Home and Trailer Park District); and that the zoning classification of approximately 0.058 acres out of the John Essary Survey, Abstract No. 296, be changed from “R-MH” (Mobile Home District) with a Conditional Use Permit (CUP) for a Communication Tower to “R-MP” (Mobile Home and Trailer Park District) with a Conditional Use Permit (CUP), such properties being addressed as 3109 and 3205 Florence Road, Killeen, Texas.

SECTION II. That all conditions associated with Conditional Use Permit for the Communications Tower pursuant to Ordinance No. 17-053 are here by readopted and reenforced.

SECTION III. 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 IV. 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 V. 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 13th day of April 2021, 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:

Jose L. Segarra, MAYOR

ATTEST:

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Lucy C. Aldrich, CITY SECRETARY

APPROVED AS TO FORM

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Traci S. Briggs, City Attorney

Case #21-01

Ord. #21-____