



# City of Killeen

## Legislation Details (With Text)

**File #:** OR-19-004    **Version:** 1    **Name:** Chapter 8 & 31 Amendments  
**Type:** Ordinance    **Status:** Passed  
**File created:** 2/4/2019    **In control:** City Council  
**On agenda:** 2/26/2019    **Final action:** 2/26/2019  
**Title:** Consider an ordinance amending Chapter 8, Building and Construction Regulations, and Chapter 31, Zoning, Article I, Article IV, and Article V of the Killeen Code of Ordinances for accessory structure and fence regulations.  
**Sponsors:** Building Inspections, Development Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Minutes, 3. Ordinance, 4. Presentation

Date	Ver.	Action By	Action	Result
2/26/2019	1	City Council	Approved	Pass
2/19/2019	1	City Council Workshop		

Consider an ordinance amending Chapter 8, Building and Construction Regulations, and Chapter 31, Zoning, Article I, Article IV, and Article V of the Killeen Code of Ordinances for accessory structure and fence regulations.

**DATE:**        **February 19, 2019**

**TO:**            **Ronald L. Olson, City Manager**

**FROM:**        **Dr. Ray Shanaa, Executive Director of Planning and Development Services**

**SUBJECT: Amendments to accessory structure and fence regulations in Chapter 8 and Chapter 31, Article I, Article IV, and Article V of the Killeen Code of Ordinances**

**BACKGROUND AND FINDINGS:**

Staff has received feedback from citizens, business owners and industry professionals regarding the City's standards (height, setback, etc.) for accessory buildings such as storage sheds as well as fences. Our current rear and side yard setback distances for placement of storage sheds are ten (10) feet. Due to current regulations, in smaller yards, most storage sheds are placed in the middle of the backyard, which is less than desirable for residents. In an effort to be responsive to resident concerns, staff reviewed the current standards and conducted workshop sessions with the Planning and Zoning Commission to receive input on the draft ordinance considered. The proposed draft ordinance reduces the minimum rear and side yard setbacks from ten (10) feet to five (5) feet for the rear and side property lines and also reduces the required minimum distance between the main structure (i.e. house) and storage shed to five (5) feet as well. This change is intended to help residents have storage sheds placed closer to the property lines, thus allowing for a more

usable backyard. These reduced setbacks will not violate City building or fire codes. The draft ordinance allows small, movable storage sheds eighty (80) square feet or less in size to be placed in rear utility easements with the requirement that the property owner have sole responsibility for moving the shed or incurring any cost of moving the structure, if any public utility provider needs to access the easement.

The second major change involves the fence ordinance. In support of citizens' suggestions and feedback, staff is recommending improvements intended to make the fence ordinance more uniform by matching the side and rear yard maximum heights from seven (7) feet and nine (9) feet respectively to eight (8) feet. The draft ordinance also allows an increase in wrought iron fence height from five (5) feet to six (6) feet in front yards, and reduces the 50% repair without permit rule down to 25% within a period of 12 months. Staff's determination is that less than 25% in repairs should be considered fence maintenance and not fence replacement requiring a permit.

**THE ALTERNATIVES CONSIDERED:**

1. Approve the recommended amendments as presented.
2. Do not approve the recommended changes and keep the current more restrictive shed and fence ordinance.
3. Further amend the proposed changes.

**CONFORMITY TO CITY POLICY:**

The draft ordinance conforms to City policy.

**FINANCIAL IMPACT:**

**What is the amount of the expenditure in the current fiscal year? For future years?**

This is not applicable at this time.

**Is this a one-time or recurring expenditure?**

This is not applicable at this time.

**Is this expenditure budgeted?**

This is not applicable at this time.

**If not, where will the money come from?**

This is not applicable at this time.

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

This is not applicable at this time.

**RECOMMENDATION:**

The Planning and Zoning Commission recommends approval of the proposed ordinance by a vote of 7 to 0.

**DEPARTMENTAL CLEARANCES:**

This item has been reviewed by the Legal Department.

**ATTACHED SUPPORTING DOCUMENTS:**

Minutes  
Ordinance