



North Killeen Revitalization Program

City of Killeen
P.O. Box 1329
Killeen, TX 76540-1329

Application # _____

What is the North Killeen Revitalization Program?

This program serves to promote the development and redevelopment of North Killeen and 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.

Eligible Recipients/Properties

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 active Code Enforcement cases or be in arrears with any City account;
- d. Must not have any City liens filed against any property owned by the applicant property owner/developer or must have liens paid in full up front.

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.

Release of Liens

The following liens, to include interest, shall be released in conjunction with an eligible new construction of rehabilitation project:

- 100% liens according to Code of Ordinance Section 18 Articles I-III to include interest
- 50% demolition and civil penalty liens to include interest

All fees must be paid up front by way of cashiers check or money order, and one-half of the demolition liens and all the Code of Ordinnace Section 18 liens will be refunded at the time the Certificate of Occupancy is issued.

The City shall not release or satisfy any lien on a property owned by the person whose actions resulted in the lien being placed on the property. The City shall not release or forgive any lien on a property owned by an immediate family member or firm, corporation, partnership, or business entity of a person whose actions resulted in the lien being placed on the property. For purposes of this section, the term "immediate family member" shall mean spouse, child, parent, niece, nephew, aunt, uncle, grandparent, grandchild, or anyone having one of these relationships by law.

Development Fees

Fees for services shall be waived for new construction or rehabilitation projects that expend a minimum of \$2,000:

- All building permit related fees (including plans review and inspections)
- Plan Application Fee
- Board of Adjustment Application Fee
- Demolition Permit Fee
- Zoning Application Fee
- Sign Permit Fee

If a permit or application listed above 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.

Development Standards

- Minimum lot size for non-conforming properties- 3,600 sq. ft. No ZBA approval needed
- Building setbacks: 5' side lot, 10' rear lot, 20' front lot
- 50% rule waived



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PROJECT CERTIFICATION APPLICATION

I. APPLICATION CHECK LIST

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. CERTIFICATION WILL BE DENIED IF ALL REQUIRED DOCUMENTS SHOWN IN THE BELOW CHECKLIST ARE NOT SUBMITTED WITHIN 30 DAYS OF THE DATE OF APPLICATION.

Please submit the following documentation:

- A completed application form
- A list of all properties owned by the Applicant property owner/developer in the City of Killeen
- Proof of ownership, such as a warranty deed, affidavit of heirship, or a probated will **OR** evidence of site control, such as option to buy.
- A reduced 11x17 floor plan, site plan, and site elevation with a written detailed project description that includes a construction time line
- A detailed line item budget showing the cost breakdown for the project
- A copy of Incorporation documents or partnership agreement noting all principals, partners, and agents as applicable

PLEASE MAIL OR FAX YOUR APPLICATION TO:

**City of Killeen Planning and Development Services
200 E Avenue D, Killeen, Texas 76541
Tel: (254) 501-6591 Fax: (254) 501-7628**

*** Electronic version of this form is available on our website at www.killeentexas.gov.***

II. APPLICANT (PROPERTY OWNER)

Property Owner(s) _____

Address: _____
Street City State Zip

Phone Number: _____ Fax Number: _____

Email: _____

III. CONTRACTOR /AGENT (If Applicable)

Contractor: _____

Address: _____
Street City State Zip

Phone Number: _____ Fax Number: _____

Email: _____



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IV. PROJECT ELIGIBILITY

Please list the addresses and legal descriptions of the project and **all** other properties the applicant owns in the City of Killeen. Attach metes and bounds description if no address or legal description is available.

TABLE 1:
Property Ownership

(Continue on a separate sheet and attach if necessary)

Project Address	Zip Code	Legal Description		
		Subdivision Name	Lot No.	Block No.

Other Properties Owned in the City of Killeen

(Continue on a separate sheet and attach if necessary)

Address	Zip Code	Legal Description		
		Subdivision Name	Lot No.	Block No.

Does Applicant own other properties under another name? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please specify: _____						
Does the proposed project conform to City of Killeen Zoning? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, what steps are being taken to insure compliance? _____ _____ _____ _____						
Project Type	Single Family	Multi-Family	Commercial	Industrial	Community Facilities	Mixed-Use
	Owner Occupied	Owner Occupied	Owner Occupied	Owner Occupied	Owner Occupied	Owner Occupied
	Rental Property	Rental Property	Rental Property	Rental Property	Rental Property	Rental Property



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For each property listed in Table 1, please check the boxes below to indicate if:

- there are taxes past due;
- there are City liens; or
- there are active Code Enforcement cases

Table 2: Property Taxes, City Liens and Code Cases (leave blank if it not applicable)

Address	Property Taxes Due	City Liens on Property					Code Cases
		Weed Liens	Board-up/Open Structure Liens	Demolition Liens	Paving Liens	Order of Demolition	

(Please attach additional sheets of paper as needed.)

If there are taxes due or liens against any property in the City of Killeen, Applicant may not be eligible for program incentives. A payment program must be initiated with the City of Killeen to include a 25% down payment. A payment schedule must be set before applicant is eligible for program incentives.

1. Please describe the proposed residential or commercial project:

2. If your project is a commercial, industrial, or mixed-use project, please describe the types of businesses that are being proposed:

3. Is this a new construction or rehab project? **New Construction** **Rehabilitation**

4. How much is the total (re)development cost of your project? \$ _____

5. What is the Estimated project completion date?



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V. INCENTIVES – WHAT INCENTIVES ARE YOU APPLYING FOR?

1. Development Fee Waivers

All building permit related fees (including Plans Review and Inspections)

Plat Application Fee (including preliminary plat, final plat, replat, and minor plat)

Zoning Application Fee (for properties seeking zoning change to fit current property use)

Demolition Fee

Sign Permit Fee

Board of Adjustment Application Fee

2. Release of City Liens

100% liens according to Code of Ordinance Section 18 Articles I-III to include interest

50% demolition and civil penalty liens to include interest

3. Inspections Program

Police Department

Code Enforcement

Building Inspections

Amount and Type of Lien Reduction of Waiver Requested:

Incentive Type Requesting	Requested Lien Waiver Amount
Waiver of Platting, Zoning and Permit Fees (up to \$2,000)	\$
Reduction or Waiver of Section 18 Article I-III Lien(s) to include interest	\$
Reduction or Waiver of Demolition & Civil Penalty Lien(s) to include interest <i>(reimbursement occurs after Certificate of Occupancy is issued)</i>	\$
	\$ TOTAL



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ACKNOWLEDGMENTS

I hereby certify that the information provided is true and accurate to the best of my knowledge. I understand that the approval of fee waivers and other incentives shall not be deemed to be approval of any aspects of the project. I understand that I am responsible in obtaining required permits and inspections from the City and in ensuring the project is located in the correct zoning district.

I understand that my application will not be processed if it is incomplete. I agree to provide any additional information for determining eligibility as requested by the City.

**SIGNATURE MUST BE OWNER OR MANAGING PARTNER/PRESIDENT/CEO
IF PROPERTY IS OWNED BY A CORPORATION OR PARTNERSHIP**

APPLICANT (PROPERTY OWNER)
(PRINTED OR TYPED NAME)

(AUTHORIZED SIGNATURE)

(DATE)

For Office Use Only

Application Received Date: _____ Application Completed Date: _____

Project Type?	Single family	Multifamily	Commercial	Industrial	Community facilities	Mixed-Use
Ownership/Site Control?	Yes	No				
Conform to City of Killeen Zoning?	Yes	No	Legal Non-Conforming?	Yes	No	
Tax current on this property?	Yes	No	Tax current on other properties?	Yes	No	
City liens on this property?	Yes	No	City liens on other properties?	Yes	No	
Certified?	Yes	No				
Reason for certification denial?	_____			Date certification issued?	_____	
	_____			Certified by:	_____	

RESET FORM

North Killeen Revitalization Zone



W Rancier Ave

E Rancier Ave

N Gilmer St

N 2nd St

BUS
190

Killeen

S 2nd St

S 10th St

NWS Young Dr

Killeen

BUS
190

U.S. Hwy 190

Florence Rd

E Fowler Ave

11th Street Rd

South W S Young Drive

Jasper Dr

ARTICLE I. - DEFINITIONS

Sec. 18-1. - Definitions.

As used in this article I through IV, the following words, terms, and phrases shall be defined as follows:

Abandoned shall mean to cease the care or maintenance thereof, or to intentionally leave behind.

Abate shall mean to eliminate or cure by removal, repair, rehabilitation, or demolition.

Approved receptacle shall mean a container that is composed of durable material and designed to prevent the discharge of its contents and to make its contents inaccessible to animals, vermin, or other pests.

Bar ditch shall mean a depression along the side of a road that is intended to convey storm water from the roadway.

Brush shall mean any low woody vegetation, dense undergrowth, decaying scrub vegetation or the dead remains of such.

Building shall mean a structure built for the support, shelter, or enclosure of a person, chattel, machine, equipment, or other movable property.

Building official shall mean the building official charged with administration of this chapter or his duly authorized representative.

Code enforcement director shall mean the director of code enforcement charged with enforcement of this chapter or his duly authorized representative.

Easement, for the purpose of this chapter, shall mean a grant by a property owner to the public or other entity for the use of a defined strip of land, for such purpose as the installation, maintenance, and/or repair of utility lines, or other public services whose ownership and care of the land encompassed by such easement is maintained by the property owner.

Fill dirt shall mean soil, gravel, rock, brick, concrete, mortar or other similar material, brought to property, in accordance with chapters 12, 26 and 32 of this code, to solidify the ground's foundation or increase elevation.

Junk shall mean used iron, metal, furniture, tires, appliances, and other similar items openly stored, discarded, or abandoned on property or premises.

Litter shall mean any garbage or rubbish as defined in section 24-26 and herein, and all other waste material which creates a nuisance or potential danger to public health, safety, and welfare if not deposited in an approved receptacle.

Occupant shall mean any person living or sleeping in a building or having possession of a space within a building.

Open storage shall mean the open storage or placement of an item on any premise or property which is not entirely enclosed by a building or approved screening device.

Owner shall mean any person, agent, firm, partnership, corporation, association, family, group, or owner's agent. It also includes the singular and plural.

Person shall mean any individual, firm, partnership, corporation, association, family, group, occupant, owner's agent, lessee, renter, or tenant. It also includes the singular and plural.

Premises shall mean a lot, plot, or parcel of land including the buildings or structures thereon. The term includes a yard, ground, walk, driveway, fence, porch, steps, or other structures appurtenant to the property.

Property shall mean any premise, personal or real property.

Public nuisance shall mean the allowance of, or the maintaining of, an unlawful condition, act, or use of any property or premise affecting the public's life, health, safety, or general welfare within the city limits.

Public place, property, or right-of-way shall mean any place to which the public or substantial group of the public has access and includes, but is not limited to, streets, alleys, parkways, sidewalks, highways and common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

Refuse shall mean all solid waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, and solid market and industrial wastes.

Top soil shall mean the top layer of soil that is removed when a lot is graded or prepared for construction.

Weeds shall mean any herbage or vegetation, but excludes cultivated shrubs, bushes, trees, flowers, and crops.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06; Ord. No. 07-093, § I, 10-16-07; Ord. No. 13-038, § I, 5-14-13)

Cross reference— Solid waste, Ch. 24.

State Law reference— Authority of city to prohibit conditions, V.A.C.S. art. 4436.

Secs. 18-2—18-10. - Reserved.

ARTICLE II. - IN GENERAL

Sec. 18-11. - Declaration of public nuisance.

A person shall not cause, permit, or allow a public nuisance under this chapter on any lot or parcel of land, premise, or any public place within the city limits.

(Ord. No. 00-78, § I, 10-24-00)

Secs. 18-12-18-20. - Reserved.

ARTICLE III. - SPECIFIC NUISANCES

Sec. 18-21. - High weeds, grass, or brush.

- A. *Generally.* It shall be unlawful for any owner, lessee, occupant, or person in control of any lot, parcel of land, or premise within the city limits to allow the accumulation of high weeds, grass, or brush to exist in excess of the standards provided herein. Such violation is considered a health and fire hazard and, as such, is hereby declared to be a public nuisance.
- B. *Height limitations.*
 1. *Property two (2) acres or less.* Any accumulation of weeds, grass, or brush on any lot, parcel of land, or premise two (2) acres or less shall not exceed a height of more than twelve (12) inches.
 - 2.

Property over two (2) acres. Any accumulation of weeds, grass, or brush on any property of more than two (2) acres shall not exceed a height of more than twelve (12) inches within fifty (50) feet adjacent to and along any dedicated public street or right-of-way or adjacent to any lot that is occupied by a residence or business. Any accumulation of weeds, grass, or brush on the remaining area of the property shall not exceed a height of more than forty-eight (48) inches. a. Exception to 2: Paragraph 2 above shall not apply to agriculturally zoned property or property within the city limits for which a current agricultural exemption is filed with Bell County.

C. *Property adjoining public rights-of-way.*

1. Except as provided in paragraph 2 below, any private property adjoining a public right-of-way within the city including that which is between the sidewalk and the curb must be maintained by the owner, occupant, lessee, or person in control of such adjoining private property. Any growth of weeds and grass shall not exceed twelve (12) inches in height, and all brush must be cleared from such right-of-way. This requirement does not apply to right-of-way behind any private property that has a rear property line adjacent to a street classified as an arterial or collector in the city's thoroughfare plan.
 2. The city shall maintain all bar ditches adjoining a public right-of-way within the city limits.
- D. This section shall apply to property with weeds and grass but not property with slopes greater than 3 feet rise per 1 foot run of lot, or other terrain features that inhibit mowing or development, and which will not create a fire or health hazard if left in their natural state.
- E. This section shall not apply to those portions of property that are wetlands as defined and regulated in chapter 32.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06; Ord. No. 13-038, § I, 5-14-13)

Sec. 18-22. - Dangerous weeds over 48 inches high.

- A. The city may abate, without notice, weeds that have grown higher than 48 inches and are an immediate danger to the life, health, or safety of any person. After such abatement, notice shall be given as follows:
- 1.

Not later than the 10th day after the date the city abates weeds under this section, the city shall give notice to the property owner in the manner required by section 18-42.

- a. The notice shall contain:
 - (i) an identification, which is not required to be a legal description, of the property;
 - (ii) a description of the violation(s) of the ordinance that occurred on the property;
 - (iii) a statement that the city abated the weeds; and
 - (iv) an explanation of the property owner's right to request an administrative hearing about the city's abatement of the weeds.
- b. The city shall conduct an administrative hearing before the building official on the abatement of weeds under this section if, not later than the 30th day after the date of the abatement of the weeds, the property owner files with the building official a written request for a hearing.
- c. An administrative hearing conducted under this section shall be conducted not later than the 20th day after the date a request for a hearing is filed. The owner may testify or present any witnesses or written information relating to the city's abatement of the weeds.
- d. The city may assess expenses and create liens under this section as it assesses expenses and creates liens under sections 18-44 and 18-45.
- e. The authority granted by this section is in addition to the authority in article IV of this chapter.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06; Ord. No. 07-093, § I, 10-16-07; Ord. No. 13-038, § I, 5-14-13)

State Law reference— Additional authority to abate dangerous weeds, V.T.C.A., Health & Safety Code, § 342.008.

Sec. 18-23. - Accumulation of litter, trash, or rubbish.

It shall be unlawful for any owner, lessee, occupant, or person in control of any lot, parcel of land, or premise within the city limits to allow the accumulation of any litter, trash, or rubbish. All litter shall be kept in an approved receptacle designed to contain litter in a manner so as not to

allow it to be blown, carried, or deposited by the wind upon any private or public property or any right-of-way. Such violation is considered a health and fire hazard and, as such, is hereby declared to be a public nuisance.

(Ord. No. 00-78, § I, 10-24-00)

State Law reference— Municipal power concerning filth, carrion, and other unwholesome matter, V.T.C.A., Health & Safety Code, § 342.003.

Sec. 18-24. - Littering by depositing or dumping.

No person shall throw, deposit, drop, sweep, or place any litter or junk into or on any private or public property, right-of-way, street, sidewalk, or other place. All litter shall be disposed of in an approved receptacle.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06)

Sec. 18-25. - Allowing stagnant water to accumulate.

It shall be unlawful for any owner, lessee, occupant, or person in control of any lot, parcel of land, or premise within the city limits to allow holes, containers, or other various receptacles that contain stagnant water that may produce disease to exist on such lot, parcel of land, or premises. The code enforcement director may require an inspection of the premises and may require the filling, draining, and regulating of the unsanitary condition.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06)

State Law reference— Municipal power concerning stagnant water and other unsanitary conditions, V.T.C.A., Health & Safety Code, § 342.001.

Sec. 18-26. - Allowing unsanitary conditions.

It shall be unlawful for any owner, lessee, occupant, or person in control of any lot, parcel of land, or premise within the city limits to allow any unwholesome unsanitary condition that may produce disease to exist on such lot, parcel of land, or premise. The code enforcement director may require an inspection of the premises and may require the filling, draining, and regulating of the unsanitary condition.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06)

State Law reference— Municipal power concerning stagnant water and other unsanitary conditions, V.T.C.A., Health & Safety Code, § 342.001.

Sec. 18-27. - Care of premises.

- A. It shall be unlawful for any owner, lessee, occupant, or person in control of any lot, parcel of land, or premise within the city limits to utilize such property for the open storage of any of the following:
 1. *Abandoned vehicles.* Abandoned vehicles such as motor or non-motorized vehicles, boats, trailers, and similar items and parts thereof.
 2. *Abandoned appliances.* Abandoned appliances and parts thereof.
 3. *Supplies and materials.* The open storage of building materials, building rubbish, tires, or any accumulation of any other product or supplies.
 - (a) Note: It is not the intent of this section to prohibit the storage of building materials associated with a city-permitted construction project.
 4. *Vegetation.* The open storage of dead trees, limbs, brush, or weeds.
- B. It shall be the duty and responsibility of every such owner, lessee, occupant, or person in control of any lot, parcel of land, or premise to keep such property clean and to prevent a public nuisance.
- C. *Exception.* Any of the above-listed items that are screened from public view by the methods stated in sections 31-250 or 31-280 (screening devices), or section 8-512 (landscaped buffer screening devices), and which will not cause health or sanitary nuisances are exempt.

(Ord. No. 00-78, § I, 10-24-00; Ord. No. 06-36, § I, 3-28-06)

Sec. 18-28. - Fill dirt.

- A. It shall be unlawful for any owner, lessee, occupant or person in control of any lot, parcel of land, or premise within the city limits to accumulate fill dirt visible from any public place unless the fill dirt is leveled at least once every six (6) months.
- B. This section does not apply to top soil and gravel stock piled, stored for sale, lawfully permitted for development or state permitted material storage properties.
- C.

Soil, gravel, rock, brick, concrete, mortar and other similar material brought in for a purpose other than to solidify the ground's foundation or increase elevation is not allowed.

- D. Requirements in chapters 12, 26 and 32 must be met before the placement of fill dirt materials.

(Ord. No. 06-36, § I, 3-28-06; Ord. No. 13-038, § I, 5-14-13)

Secs. 18-29-18-40. - Reserved.