

**ORDINANCE 19-010**

**AN ORDINANCE AMENDING CHAPTER 25, STREETS, SIDEWALKS, AND MISCELLANEOUS PUBLIC PLACES PROVIDING FOR THE REVISED DEFINITION OF SINGLE FAMILY EQUIVALENT; 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; and,

**WHEREAS**, the City Council of the City of Killeen deems the continued operation and functionality of the City's transportation infrastructure to be of vital importance to the protection of the public health, safety, and welfare of its citizens; and,

**WHEREAS**, the City of Killeen established a Street Maintenance Fund on December, 11, 2018 in order to protect the citizenry from the deterioration of the quality and safety of the road system which they rely upon and use on a regular basis and to provide a properly maintained road system; and,

**WHEREAS**, the City of Killeen established single family equivalents to offer the street maintenance service on nondiscriminatory, reasonable and equitable terms; and,

**WHEREAS**, the City of Killeen wishes to amend the definition of single family equivalent; and,

**WHEREAS**, the City of Killeen will define all places of worship with the same single family equivalent;

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

**SECTION I.** That Chapter 25, Article VII of the City of Killeen Code of

Ordinances is hereby amended to read as follows:

Sec. 25-225. - Definitions.

In this article:

*Benefitted property* means a residence; a business; or a lot or parcel on which improvements have been constructed and that generates motor vehicle trips.

*Monthly street maintenance cost per unit* means the annual cost of street maintenance and operations including related materials, supplies, contracted treatments, pavement, concrete, signs, signals, marking, salaries, and equipment, and not including capital expenses such as existing debt or any new construction, divided by the total number of single family equivalents divided by twelve (12) months. The total number of single-family equivalents is total units within the city multiplied by each corresponding single-family equivalent.

*Nonresidential benefitted property* means benefitted property not defined as residential benefitted property under this article. Nonresidential property shall include, but not be limited to, property being used for the following purposes: commercial, industrial, institutional, lodging, medical, office, or religious.

*Residential benefitted property* means a single-family residence, modular home, townhouse, two-family housing, multi-family housing, mobile home, travel trailer, or manufactured home.

*Street maintenance fee* means the fee established by this article.

*Transportation system* means the structures, streets, rights-of-way, bridges, alleys, and other facilities within the city limits that are dedicated to the use of vehicular traffic; the maintenance and repair of those facilities; and the operation and administration of such maintenance and repair.

*Unit* means a unit of measurement equaling:

- (1) Residential benefitted property: one (1) per dwelling unit; OR
- (2) Nonresidential benefitted property: one (1) per one thousand (1,000) square feet of improvements designated as living area/floor area as applicable in the records of the Bell County Appraisal District; OR
- (3) Hotel/motel: one (1) per room; OR
- (4) Self-service car wash: one (1) per stall.

*Single-family equivalent* is the equivalent number of trips per any other land use to single-family land use and is the principle basis of service measurement derived from trip generation rates, pass by percentages, and trip lengths published by the Institute of Transportation Engineers. The single-family equivalents of the following uses per unit are:

Land Use	Single Family Equivalent Rate	Billing Code
1. Single-family detached housing dwelling unit	1.00	SFH
2. Multi-family housing (low-rise) dwelling unit	0.57	MFL

3. Multi-family housing (mid-rise) dwelling unit	0.44	MFH
4. Mobile home dwelling unit	0.47	MH
5. Assisted living 1,000 SF GFA	0.49	ALV
6. Intermodal truck terminal 1,000 SF GFA	2.31	ITT
7. General light industrial 1,000 SF GFA	0.78	GLI
8. Industrial park 1,000 SF GFA	0.49	IPK
9. Manufacturing 1,000 SF GFA	0.83	MFG
10. Warehousing 1,000 SF GFA	0.23	WHS
11. Mini warehouse 1,000 SF GFA	0.21	MWH
12. Hotel room	0.50	HRM
13. Motel/other lodging facilities room	0.31	MLF
14. Multipurpose recreational facility 1,000 SF GFA	2.84	MPR
15. Bowling alley 1,000 SF GFA	0.92	BWA
16. Adult cabaret 1,000 SF GFA	2.32	ACB
17. Ice skating rink 1,000 SF GFA	1.05	ISR
18. Health/fitness club 1,000 SF GFA	2.74	HFC
19. Athletic club 1,000 SF GFA	4.99	ATC
20. Recreational community center 1,000 SF GFA	1.83	RCC
21. Elementary school 1,000 SF GFA	1.01	ES
22. Middle school/junior high school 1,000 SF GFA	0.88	MS
23. High school 1,000 SF GFA	0.72	HS
24. Private school (K-8) 1,000 SF GFA	4.83	PVS
25. Junior/community college 1,000 SF GFA	1.37	JCC
26. Place of Worship 1,000 SF GFA	0.24	PLW
27. Reserved	0.00	---
28. Day care center 1,000 SF GFA	4.60	DCC
29. Museum 1,000 SF GFA	0.13	MSM
30. Nursing home 1,000 SF GFA	0.44	NSH
31. Clinic 1,000 SF GFA	2.42	CLC
32. Animal hospital/veterinary clinic 1,000 SF GFA	1.83	AVC
33. General office building 1,000 SF GFA	0.85	GOB
34. Corporate headquarters building 1,000 SF GFA	1.03	CHB
35. Single tenant office building 1,000 SF GFA	1.26	STO
36. Medical - Dental office building 1,000 SF GFA	2.56	MDO
37. Office Park 1,000 SF GFA	0.98	OFF

38. Construction equipment rental store 1,000 SF GFA	0.82	CER
39. Building materials and lumber store 1,000 SF GFA	1.70	BML
40. Free-standing discount superstore 1,000 SF GFA	2.53	DSS
41. Variety store 1,000 SF GFA	3.72	VRS
42. Free-standing retail store 1,000 SF GFA	2.79	RTS
43. Hardware/paint store 1,000 SF GFA	1.63	HPS
44. Nursery (garden center) 1,000 SF GFA	4.01	NGC
45. Shopping center 1,000 SF GLA	2.07	SHC
46. New and used car sales 1,000 SF GFA	2.38	CRS
47. Recreational vehicle sales 1,000 SF GFA	0.61	RVS
48. Automobile parts sales 1,000 SF GFA	2.22	APS
49. Tire store 1,000 SF GFA	2.28	TRS
50. Tire superstore 1,000 SF GFA	1.20	TSS
51. Supermarket 1,000 SF GFA	4.88	SPM
52. Convenience market (open 24 hours) 1,000 SF GFA	19.85	CVM
53. Convenience market w/ gasoline pumps 1,000 SF GFA	13.83	CMG
54. Discount supermarket 1,000 SF GFA	5.46	DSM
55. Home improvement superstore 1,000 SF GFA	1.11	HIS
56. Office supply superstore 1,000 SF GFA	2.29	OSS
57. Discount home furnishing superstore 1,000 SF GFA	1.30	DHF
58. Department store 1,000 SF GFA	1.13	DTS
59. Apparel store 1,000 SF GFA	3.40	AST
60. Pharmacy/drugstore w/o drive-through window 1,000 SF GFA	3.30	PDS
61. Pharmacy/drugstore w/ drive-through window 1,000 SF GFA	4.33	PDT
62. Furniture store 1,000 SF GFA	0.20	FTS
63. Walk-in bank 1,000 SF GFA	3.05	WKB
64. Drive-in bank 1,000 SF GFA	5.31	DIB
65. Hair salon 1,000 SF GFA	0.43	HRS
66. Drinking place 1,000 SF GFA	3.83	DRP
67. Sit down restaurant 1,000 SF GFA	2.58	SDR
68. High turnover (sit-down) restaurant 1,000 SF GFA	3.29	HTR
69. Fast food restaurant without drive-thru window 1,000 SF GFA	8.38	FFR
70. Fast food restaurant with drive-thru window 1,000 SF GFA	9.66	FFD
71. Coffee/donut shop without drive-through window 1,000 SF GFA	2.36	CDS
72. Coffee/donut shop with drive-thru window 1,000 SF GFA	2.82	CDW

73. Quick lubrication vehicle shop 1,000 SF GFA	4.14	QLV
74. Automobile care center 1,000 SF GFA	1.48	ACC
75. Automobile parts & service center 1,000 SF GFA	1.00	APC
76. Self-service car wash stall	0.49	CWS
77. Automated car wash 1,000 SF GFA	1.00	ACW

*User or utility customer* means the person who is responsible for the payment of charges on a city utility meter for a benefitted property.

**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 immediately 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 26th day of March, 2019, 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**

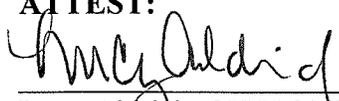
  
 JOSE L. SEGARRA, MAYOR



**APPROVED AS TO FORM:**

  
 Kathryn H. Davis, CITY ATTORNEY

**ATTEST:**

  
 Lucy Aldrich, CITY SECRETARY