

[Use regulations are as follows:]

- (1) Uses customarily incidental to the primary use, as hereinafter provided, subject to the special conditions contained in subsection 31-276(2).
 - a. Physical therapy clinic.
 - b. Chemical or x-ray laboratory.
 - c. Dispensing optician.
 - d. Dispensing apothecary.
 - e. Dental laboratory.
 - f. Multifamily residential, provided that such development provides for at least three (3) dwelling units per building and is not located within one thousand (1,000) feet of an existing heavy industrial use, or within three thousand (3,000) feet of an airport or military base.
 - g. Mixed-use residential, as defined by V.T.C.A., Local Government Code § 218.001, provided that such development shall be vertical mixed-use comprised of residential and nonresidential uses in the same building on the same lot and is not located within one thousand (1,000) feet of an existing heavy industrial use, or within three thousand (3,000) feet of an airport or military base.
- (2) Buildings may be used for one (1) or more of the uses prescribed in subsection 31-276(1) only under the following conditions:
 - a. The total area of a professional building devoted to any single incidental use shall not exceed fifteen (15) percent of the gross floor area of the building.
 - b. The total area of a professional building devoted to incidental uses in the aggregate shall not exceed twenty-five (25) percent of the gross floor area of the building.
 - c. Public access to such incidental uses shall be from the interior of the building.
 - d. No parking space shall occupy any part of the required front yard, except as provided in subsection 31-287(a)(1)b.
 - e. Sign standards for this district shall apply to both primary and incidental uses.
 - f. No building in this district shall be constructed or altered to produce a storefront, show window or display window, and there shall be no merchandise visible from the exterior of the building.
 - g. No outside storage shall be permitted in this district.
- (3) Office, general business.
- (4) An on-premises residential use or living quarters may be included in one (1) structure in a commercial land use district when the main use of the structure is commercial, provided both uses are in compliance with appropriate building codes and the proprietor or an employee of the commercial activity is a resident in the living quarters.
- (5) All uses allowed in section 31-186, with the exception of one-family dwellings.
- (6) Studio for photography, interior decoration.

(Code 1963, Ch. 9, art. 2, § 10-1; Ord. No. 99-70, § III, 9-14-99; Ord. No. 05-69, § III, 9-13-05; Ord. No. 06-11, § I, 1-24-06; Ord. No. 16-001, § I, 1-12-16; Ord. No. 25-046, § I, 8-19-25)

Sec. 31-277. - Height regulations.

The height regulations in the district "B-1" professional business district shall be as required by the Standard Building Code.

(Code 1963, Ch. 9, art. 2, § 10-2; Ord. No. 99-70, § III, 9-14-99)

Sec. 31-278. - Area regulations.

(a) *Size of yards.* The size of yards in the district "B-1" professional business district shall be as follows:

- (1) *Front yard.* There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in district "B-1," except that automobile parking will be permitted in such yards in accordance with off-street parking requirements.
 - (2) *Side yard.* A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining any "R" zoned residential district. Otherwise, no side yard is required. No parking, storage, or similar use shall be allowed in any required side yard or in any required side street yard adjoining any "R" zoned residential district, except automobile parking in accordance with off-street parking requirements. The required side yard setback adjacent to a street shall not be required, provided all of the following conditions are met:
 - a. The subject property is included in the area of the City of Killeen identified as special parking district "A," described as an area bounded by the innermost rights-of-way or straight line extensions of the rights-of-way of Avenue G, Park Street, Green Avenue, and 12th Street.
 - b. The proposed construction is the rebuilding or repair of an existing structure, the proposed structure is not enlarged beyond the dimensions of the existing foundation, and the proposed structure is to be constructed on the existing building foundation.
 - c. Any new construction, other than that described in subsection (b) above, shall maintain a side yard setback adjacent to a street not less than the side yard setback provided by the existing structures on the block in which the subject property is located.
 - d. Notwithstanding subsections (a) through (c), no construction will be permitted:
 1. in conflict with section 28-241, as amended;
 2. in conflict with the city's thoroughfare plan, as amended, in effect at the time of construction; or
 3. which encroaches into the city's right-of-way.
 - (3) *Rear yard.* No rear yard is required except that a rear yard of not less than ten (10) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from any "R" zoned residential district.
- (b) *Size of lot.* There are no limitations to the size of lots in the district "B-1" professional business district.

(Code 1963, Ch. 9, art. 2, § 10-3; Ord. No. 82-76; Ord. No. 90-95, § I, 9-25-90; Ord. No. 93-102, § IV, 11-9-93; Ord. No. 99-70, § III, 9-14-99; Ord. No. 05-69, § III, 9-13-05; Ord. No. 16-001, § I, 1-12-16)

Sec. 31-279. - Parking regulations.

Off-street parking and loading spaces shall be provided in the district "B-1" professional business district in accordance with the requirements for specific uses set forth in article V, division 3 of this chapter.

(Code 1963, Ch. 9, art. 2, § 10-4; Ord. No. 99-70, § III, 9-14-99)

Sec. 31-280. - Screening device requirements.

- (a) Definition. For the purposes of this chapter, the phrase "screening device" shall have the meaning as defined in section 31-2.
- (b) When required. A screening device shall be erected before any use of the property when such property abuts property zoned for residential use. Such screening device shall be erected along the entire length of the common property line between the nonresidential property and the abutting residentially zoned property. In instances where nonresidential property abuts a drainage easement or other undevelopable property, the screening device requirement may be waived by the executive director of development services director or designee.
- (c) Responsibility to erect. When a screening device is required under the terms of this section, it shall be the responsibility of the user of the property to erect the required screening device, and the same shall be a condition precedent to the issuance of a certificate of occupancy for the premises on which the device is located.
- (d) Maintenance. All screening devices shall be perpetually maintained by the user of the property on which the device is located.
- (e) A screening device shall be eight (8) feet in height, exclusive of caps on fence posts or pilasters.
- (f) The finished side of all screening devices required in accordance with this section shall face away from the property requiring it.

(Code 1963, Ch. 9, art. 2, § 10-6; Ord. No. 70-52, § 3, 8-28-70; Ord. No. 99-70, § III, 9-14-99; Ord. No. 24-039, § I, 9-17-24)

Secs. 31-281—31-290. - Reserved.

DIVISION 11. - DISTRICT "B-2" LOCAL RETAIL DISTRICT

Sec. 31-291. - Use regulations.

A building or premises in the district "B-2" local retail district shall be less than five thousand (5,000) square feet in leasable area and used only for the following purposes:

- (1) Any use permitted in district "B-1" or "B-DC."

- (2) Appliance (household) sales.
- (3) Bakery shop (retail sales only).
- (4) Personal services establishments.
- (5) Construction field office and yard: on the job site; for duration of construction only.
- (6) Day care center.
- (7) Custom personal service shops, such as a health studio (to include massage establishments as defined in V.T.C.A., Occupations Code ch. 455, as amended), answering service, typing service, tailor, employment agency, FM piped music, income tax service, letter or mailing service, marriage counselor, secretarial service or shoe repair.
- (8) Drugstore or pharmacy.
- (9) Electric utility substation.
- (10) Florist (retail): retail sales of flowers and small plants. No flower or plant raising or outside display or storage.
- (11) Grocery store (drive-in).
- (12) Bank, savings and loan or other financial institution.
- (13) Registered public surveyor.
- (14) Restaurant, coffee shop or café (no drive-in service).
- (15) Retail stores, (other than listed): offering all types of personal consumer goods for retail sales.
- (16) Fine arts instruction, or sale of art objects.
- (17) Lodges and fraternal organizations with less than five thousand (5,000) square feet of leasable space.
- (18) Drop-in care centers.

(Code 1963, Ch. 9, art. 2, § 10-A-1; Ord. No. 88-115, § II, 12-13-88; Ord. No. 92-20, § II, 5-12-92; Ord. No. 99-70, § IV, 9-14-99; Ord. No. 04-87, § II, 10-19-04; Ord. No. 16-001, § I, 1-12-16; Ord. No. 20-024, § I, 5-26-20)

Sec. 31-292. - Height regulations.

The height regulations in the district "B-2" local retail district shall be as required by the Standard Building Code.

(Code 1963, Ch. 9, art. 2, § 10-A-2; Ord. No. 99-70, § IV, 9-14-99)

Sec. 31-293. - Area regulations.

(a) *Size of yards.* The yards in the district "B-2" local retail district shall be as follows:

- (1) *Front yard:* Where all the frontage on both sides of the street between two (2) intersecting streets is located in district "B-2," "B-3," "B-4" or "B-5," no front yard is required. Where the frontage on one (1) side of the street between two (2) intersecting streets is located partly in districts "B-2," "B-3," "B-4" and "B-5," and partly in an "R" district, the front yard shall conform to the "R" district regulations for a distance of not less than three hundred (300) feet from the district boundary. Where a front yard is required along the frontage on one (1) side of a street, the front yard requirements of the property directly opposite on

the other side of the street shall not be less than fifteen (15) feet, except that such yard requirements shall not apply where the property in the "R" district backs up to the street. No parking, storage or similar use shall be allowed in required front yards in districts "B-2," "B-3," "B-4" and "B-5," except automobile parking in accordance with off-street parking requirements.

(2) *Side yards:* Same as district "B-1."

(3) *Rear yard.* Same as district "B-1."

(b) *Size of lot.* There are no minimum lot area or width requirements in district "B-2" local retail district.

(c) *Lot coverage.* There are no lot coverage limitations in the district "B-2" local retail district.

(Code 1963, Ch. 9, art. 2, § 10-A-3; Ord. No. 99-70, § IV, 9-14-99; Ord. No. 05-69, § IV, 9-13-05)

Sec. 31-294. - Parking regulations.

Off-street parking and loading spaces in the district "B-2" local retail district shall be provided in accordance with the requirements for specific uses set forth in article V, division 3 of this chapter.

(Code 1963, Ch. 9, art. 2, § 10-A-4; Ord. No. 99-70, § IV, 9-14-99)

Sec. 31-295. - Screening device requirements.

The screening device requirements in the district "B-2" local retail district shall be the same as required in the "B-1" district.

(Code 1963, Ch. 9, art. 2, § 10-A-5 [Ord. No. 70-52, § 3, 8-28-70; Ord. No. 86-23, § 4, 4-22-86]; Ord. No. 99-70, § IV, 9-14-99)

Secs. 31-296—31-305. - Reserved.

DIVISION 12. - DISTRICT "B-3" LOCAL BUSINESS DISTRICT

Sec. 31-306. - Use regulations.

A building or premises in the district "B-3" local business district shall be used only for the following purposes:

- (1) Any use permitted in the "B-2" district.
- (2) Bakery or confectionery, wholesale.
- (3) Day camp.
- (4) Hospital, nursing home, or assisted living facility.
- (5) Mortuary or funeral chapel excluding cremation services.
- (6) Appliance (household) sales and repair service.
- (7) Bakery or confectionery: engaged in preparation, baking, cooking and selling of products at retail on the premises, with six (6) or less employees.

- (8) Boat and accessory sales, rental and service.
- (9) Bowling alleys.
- (10) Oil/lube station.
- (11) Cleaning, pressing and dyeing: with six (6) or less employees.
- (12) Florist, garden shop, greenhouse or nursery office (retail): no growing of plants, shrubs or trees out-of-doors on premises; no outside display or storage unless behind the required front yard or the actual setback of the principal building, whichever is greater.
- (13) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, seafood sales or health food sales.
- (14) Cafeteria or catering service.
- (15) Marine supplies, sales and service.
- (16) Lodges or fraternal organizations with greater than five thousand (5,000) square feet of leasable space.
- (17) Restaurant or café permitted to offer alcoholic beverages for sale operating under the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, as amended, all of which are adopted hereby and made a part hereof for all purposes. No restaurant will be permitted to dispense any type of alcoholic beverage through any "drive-through" facility or window.
- (18) Tennis or swim club.
- (19) Small animal clinic, pet grooming shop and/or inside kennel and boarding. No cremation or outside kennels.
- (20) Hotel or motel.
- (21) Retail uses and businesses of all sizes to include secondhand goods and antiques with no outside storage or display of second hand goods.
- (22) Gasoline service station, auto laundry or car wash.
- (23) Auto parts sales, new, at retail.
- (24) A customarily incidental use: sale of beer and/or wine only for off-premises consumption only shall be considered a customarily incidental use in this district, but not in any residential district or any more restrictive business district.
- (25) Theaters of general release.
- (26) Mini/self-storage facilities: a building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual compartmentalized and controlled access stalls or lockers for the storage of customer's goods or wares. No outside storage, sales, service, or repair activities, other than the rental of storage units shall be permitted on-premises.
- (27) Storage warehouse with leasable space of less than twenty-five thousand (25,000) square feet.

(Ord. No. 16-001, § I, 1-12-16; Ord. No. 20-024, § I, 5-26-20)

Sec. 31-306.1. - Supplemental standards for restaurants engaged in the on-premises sale and consumption of alcohol.

- (a) During any consecutive twelve-month period, a restaurant shall not obtain more than fifty (50) percent of its gross receipts from the on-premises sale of alcoholic beverages. In conjunction with renewal of TABC licensing, it shall be required to provide the most recent comptroller's certification of sales receipts to the planning and development services department prior to the city's approval of the permit renewal.
- (b) Restaurants may not be within three hundred (300) feet of a church, public or private school or public or private hospital. The measurement of the distance between the place of business where alcoholic beverages are sold and the church, public or private school, or public or private hospital shall be as prescribed by the V.T.C.A., Alcoholic Beverage Code § 109.33, as amended.

(Code 1963, Ch. 9, art. 2, § 10-B-1 [Ord. No. 76-46, § 3, 8-10-76]; Ord. No. 88-115, § III, 12-13-88; Ord. No. 96-80, § III, 11-12-96; Ord. No. 99-29, § II, 4-13-99; Ord No. 14-021, 3-11-14)

Sec. 31-307. - Height regulations.

The height regulations in the district "B-3" local business district shall be the same as district "B-2."

(Code 1963, Ch. 9, art. 2, § 10-B-2)

Sec. 31-308. - Area regulations.

The area regulations in the district "B-3" local business district shall be the same as district "B-2."

(Code 1963, Ch. 9, art. 2, § 10-B-3)

Sec. 31-309. - Parking regulations.

Off-street parking and loading spaces in the district "B-3" local business district shall be provided in accordance with the requirements for specific uses set forth in article V, division 3 of this chapter.

(Code 1963, Ch. 9, art. 2, § 10-B-4)

Sec. 31-310. - Screening device requirements.

The screening device requirements in the district "B-3" local business district shall be the same as required in the "B-1" district.

(Code 1963, Ch. 9, art. 2, § 10-B-5 [Ord. No. 70-52, § 3, 8-28-70])