

AN ORDINANCE AMENDING SECTION 26-107, STREET LIGHTING, OF THE CODE OF ORDINANCES OF THE CITY OF KILLEEN, TEXAS; AMENDING STREET LIGHTING DISTANCE REQUIREMENT AND PROVIDING FOR ADDITIONAL TYPES OF STREET LIGHTS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING 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;

WHEREAS, the City of Killeen has declared the application and enforcement of the City's subdivision and development regulations to be necessary for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare of the City; and,

WHEREAS, the City Council desires to create subdivision and development regulations that will help ensure that future development is safe, orderly, and visually appealing; and,

WHEREAS, the City Council desires to provide adequate street lighting for the protection of the public and property; and,

WHEREAS, the City Council desires to provide acceptable design standards for street lights in the City of Killeen to achieve high quality and safe living environments; and,

WHEREAS, the City Council desires to amend subdivision and development regulations to promote the health, safety, morals, or general welfare of the municipality and the safe, orderly, and healthful development of the municipality;

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

SECTION I. That Chapter 26, Section 26-107, of the City of Killeen Code of Ordinances is hereby amended to read as follows:

Sec. 26-107. - Street lighting.

- (a) Adequate street lighting shall be provided for the protection of the public and property and shall be installed in all new subdivisions within the corporate limits of the city of Killeen.
- (b) Street lights will be installed at intersections, curves, dead ends, cul-de-sacs and where spacing exceeds ~~twelve hundred (1,200)~~ six hundred (600) feet.
- (c) A street light plan shall be submitted with the construction plans required by section 26-81 of this chapter. The city engineer shall approve the street lighting plan.

- (d) The developer shall select and have installed all of the lines, poles, luminaries and lamps required to comply with the approved street light plan. The minimum acceptable design for street lights in the city of Killeen shall be embedded round fiberglass poles with post top lantern style fixtures. The city reserves the right to require round tapered galvanized steel poles with cobra head fixtures when essential to provide the necessary degree of illumination. All street light infrastructures shall be in dedicated utility easements or rights of way. Installation procedures and acceptable standards for street lights shall be governed by the design and specification standards of the electric utility company serving the subdivision. The use of special non-standard poles or fixtures from sources other than the electric utility shall not be accepted for dedication to the public.
- (e) Street lights on local and collector streets shall be at least 100-watt high pressure sodium vapor or 35-45 watt LED or equivalent. Street lights on major collectors and arterials shall be at least 250-watt high pressure sodium vapor or 65-75 watt LED or equivalent.
- (f) The developer shall be responsible for the cost of street light installation including the cost of service lines to supply electricity to the street lights and all engineering costs not borne by the electrical service provider. Developers may decrease their installation costs by completing all or part of the installation of street lighting to include the necessary trenching and installation of conduit to the location of required street light placement, as acceptable to the electric utility provider and as required by the street lighting plan.
- (g) Once satisfactorily installed, approved, and accepted, the street lights shall be dedicated to public use with maintenance of the street light being provided by the electric utility company serving the area. The electric utility company providing service to the area shall furnish electric energy to installed and dedicated street lights. The city of Killeen will pay the energy costs of dedicated street lights located within the city.
- (h) Extraterritorial jurisdiction (ETJ) - A street lighting plan shall be developed for subdivisions in the ETJ and any utility easements required to execute the plan shall be dedicated for public use. Installation of street lights will not be required; however, in preparation for future street light installation, necessary trenching and installation of conduit to the location of required street light placement will be accomplished by the developer, as required by the street lighting plan.

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.

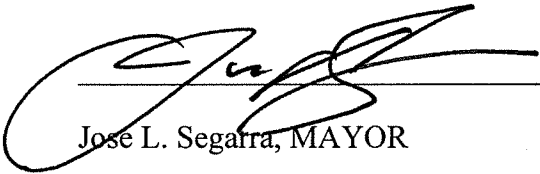
SECTION III. That should any section or part of any section, paragraph or clause of this ordinance be declared invalid or unconstitutional for any reason, it shall not invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

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 on February 1, 2021.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Killeen, Texas, this 26th day of January, 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.*

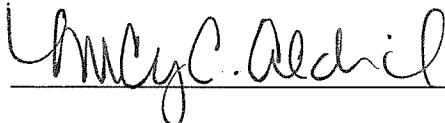
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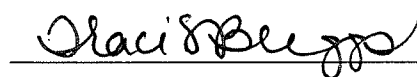

Jose L. Segarra, MAYOR



ATTEST:

APPROVED AS TO FORM:


Lucy C. Aldrich, CITY SECRETARY


Traci S. Briggs, CITY ATTORNEY

ORD 21-008

Date: January 26, 2021

CITY COUNCIL MEMORANDUM FOR ORDINANCE

DATE: January 19, 2021
TO: Kent Cagle, City Manager
FROM: Danielle Singh, Executive Director of Public Works
SUBJECT: Amendment to City Code of Ordinances, Sec. 26-107(b) and 26-107(e).

BACKGROUND AND FINDINGS:

Chapter 26 of the Code of Ordinances regulates "Subdivision and Other Property Development". Sec. 26-107 provides development standards for street lighting infrastructure. Sec. 26-107 (b) states, "Street lights will be installed at intersections, curves, dead ends, cul-de-sacs and where spacing exceeds twelve hundred (1,200) feet." City staff utilizes this section as a policy for determining the need for new street lights requests in the City. Staff developed a streetlights map based on each pole's location data provided by Oncor. Staff then randomly selected three (3) subdivisions in each council district and a total of twenty different functional classification streets within the City to analyze average distance in between streetlights. Staff has determined that the actual spacing of most streetlights in the City averages generally between 400 feet and 600 feet. This is largely due to the fact that streetlights are also required at intersections. Additionally, staff has completed research on street light ordinances in peer cities. Staff found that many other cities' policies space street lights at 300 feet (Temple, Belton, Georgetown, Leander, and Round Rock) or 600 feet (Harker Heights and Copperas Cove). Staff proposes this code amendment to replace twelve hundred (1,200) feet with six hundred (600) feet in Sec. 26-107 (b). This will be consistent with the ongoing practice in the City. It will also ensure City of Killeen's standard is comparable with other peer cities. Street light policies are typically included with subdivision or development codes, but also applied to existing areas when requests are made for new street lights.

Sec. 26-107 (e) states, "Street lights on local and collector streets shall be at least 100-watt high pressure sodium vapor or equivalent. Street lights on major collectors and arterials shall be at least 250-watt high pressure sodium vapor or equivalent." Current code provides an alternative option to high pressure sodium (HPS) but it does not specifically mention LED which is a better option from a long term energy efficiency and environmental benefits perspective. Currently, KISD plans to install LED lights along portion of Chaparral Road to be built as part of KISD High School 6. Staff proposes to add LED fixtures as an alternative option in Sec. 26-107 (e). Specific inclusion of LED fixtures will assist City staff to implement more LED street lights in the City in future.

All power costs for street lights will be borne by the City. At the present time, the City is paying \$12.28/month per 100-watt light and \$16.06/month per 250-watt light. Since the implementation of the present policy of a 1,200-foot spacing is actually resulting in an average

spacing less than a 600-foot spacing, it is expected that this code amendment will not result in any cost increase and, if any, such cost increase will be relatively minor.

Per City Code Sec. 26-107 (d) and (f), developer is responsible for the cost of street light installation. However, Oncor has been installing and maintaining street lights at no additional costs following the current service agreement. Therefore, amending the City Code will not have any financial impact to the development community. Since the reduced spacing criteria aligns with the estimated spacing of streetlights throughout the City, we are anticipating financial impacts to the City in existing areas to be minimal. Additional streetlights within existing areas would only be installed if the spacing does not meet the revised criteria and only after a resident requests an additional street light.

THE ALTERNATIVES CONSIDERED:

1. Continue with the current adopted maximum streetlight spacing of 1,200 feet in the ordinance and the language as currently written related to type of street lights.
2. Amend Sec 26-107(b) to require a maximum streetlight spacing of 600 feet and amend 26-107(e) to insert LED fixtures as an alternative.

Which alternative is recommended? Why?

Staff recommends option 2 amending Sec. 26-107(b) and Sec. 26-107(e) as proposed. Reducing the spacing requirement for street lighting is consistent with both the City's practice and peer cities' requirements. Adding LED lights provides an energy efficient alternative.

CONFORMITY TO CITY POLICY:

The proposed ordinance revisions conform to all applicable policies.

FINANCIAL IMPACT:

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

Expenditures would be based on the amount of new development that occurs and the number of requests by citizens. An increased number of street lights is included in the budget on an annual basis.

Is this a one-time or recurring expenditure?

Once a new street light is installed, there is a recurring monthly charge.

Is this expenditure budgeted?

Yes, \$757,000 is budgeted for street lights electricity in account 010-3445-434.44-49.

If not, where will the money come from?

N/A

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

Yes, it is anticipated that the existing budget is sufficient. However, if an abnormally large amount of requests are received, it is possible that additional funds may be needed.

RECOMMENDATION:

Staff recommends that the City Council approve the ordinance amending Sec. 26-107(b) to decrease the maximum spacing of street lights and Sec. 26-107(e) to include LED fixtures as an alternative option for street lighting.

DEPARTMENTAL CLEARANCES:

Public Works
Finance
City Attorney