

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES CHAPTER 98-SUBDIVISIONS, ARTICLE III – MINIMUM REQUIREMENT FOR STANDARDS AND SPECIFICATIONS, SECTION 98-134 – STREETS BY ADDING SUBSECTIONS (S) AND (T) RELATING TO ACCESS EASEMENTS AND ACCESS ALIGNMENT; PROVIDING REPEALER CLAUSE; PROVIDING SEVERABILITY CLAUSE; PROVIDING EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, The City of Mission is a home-rule municipality possessing the full power of local self-governance pursuant to Article XI, Section 5 of the Texas Constitution; and

WHEREAS, Pursuant to the laws of the State of Texas, including Section 51.001 of the Texas Local Government Code, the City Council has the authority to adopt an ordinance that, among other things, is good government peace or order of Mission; and

WHEREAS, The Planning and Zoning Commission after notice as required by law, conducted a public hearing and has reviewed the proposed subdivision ordinance amendment and has recommended approval; and

WHEREAS, The City Council, after notice as required by law, conducted a public hearing on the proposed amendment in accordance with Section 212.002 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Mission finds that it is in the best interest of the citizens of Mission to amend the Code of Ordinances as set forth below:

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

SECTION 1: That the City of Mission Code of Ordinances, Chapter 98-Subdivisions, Article III –Minimum Requirement for Standards and Specifications, Section 98-134 – Streets be amended by adding subsections (s) and (t) with the language underlined (added) to read in full as follows:

(s) Cross-access easements for commercial plats. For any plat, replat, or amending plat creating or modifying a lot intended for commercial use, a non-exclusive cross-access easement shall be shown on the plat where necessary to provide reasonable vehicular ingress and egress between adjoining commercial tracts and to promote safe and orderly traffic circulation. The location, width, and configuration of the easement shall be subject to review and approval by the City Engineer, or Director of Planning based on traffic safety, access management, site circulation, existing and future driveway locations, utilities, drainage, topography, and other applicable development standards.

The requirement may be modified or waived in writing by the City Engineer or Director of Planning if the easement is not feasible, is not necessary for safe and orderly traffic

circulation, would create an unsafe condition, conflicts with applicable law or access management requirements, or would not be roughly proportionate to the impacts of the proposed development. Any required easement shall be recorded by plat notation or separate instrument, shall identify the benefited properties or users, and shall include maintenance responsibility acceptable to the City.

(t) Alignment of access points. Where commercial developments are separated by a street, alley, or other public way, proposed driveway approaches, drive aisles, or access points shall be aligned with existing or planned access points to the extent practicable, unless the City Engineer or Director of Planning determines in writing that alignment is infeasible or would create an unsafe traffic condition.

SECTION 2. REPEALER All ordinances or parts of ordinances in conflict herewithin are hereby repealed.

SECTION 3. SEVERABILITY If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and any remaining provision shall continue in effect notwithstanding the invalidity of such section, subsection, clause, phrase or portion.

SECTION 4. EFFECTIVE DATE This ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED, APPROVED, AND ADOPTED THIS ____ day of _____, 2026, at a regular meeting of the City Council of the City of Mission, Texas at which a quorum was present and which was held in accordance with the TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF MISSION

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

City Attorney