

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, REPEALING ORDINANCE NO. 5035 AND REPEALING SECTION 1.47B OF ARTICLE VIII OF THE CITY OF MISSION ZONING ORDINANCE, ENTITLED "HISTORIC PRESERVATION OVERLAY DISTRICT"; ABOLISHING THE HISTORIC PRESERVATION COMMISSION; REPEALING ALL REGULATIONS, PROCEDURES, STANDARDS, AND REQUIREMENTS ESTABLISHED THEREUNDER; CREATING A HISTORIC PRESERVATION ADVISORY COMMITTEE TO STUDY HISTORIC PRESERVATION MATTERS AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL REGARDING THE DEVELOPMENT OF A HISTORIC PRESERVATION ORDINANCE CONSISTENT WITH APPLICABLE STATE LAW; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Mission adopted Ordinance No. 5035 creating Section 1.47B of Article VIII of the City of Mission Zoning Ordinance, entitled "Historic Preservation Overlay District"; and

WHEREAS, the City Council has determined that it is in the best interest of the City to repeal Ordinance No. 5035 and remove the Historic Preservation Overlay District regulations from the City Code;

WHEREAS, the City Council retains authority under Chapter 211 of the Texas Local Government Code to regulate zoning and land use within the City;

WHEREAS, the City Council finds that the repeal of Ordinance No. 5035 and the Historic Preservation Overlay District does not diminish the City's interest in preserving historically significant properties and cultural resources; and

WHEREAS, the City Council intends to establish a Historic Preservation Advisory Committee to study historic preservation issues and provide recommendations regarding the development of a Historic Preservation Ordinance that complies with applicable provisions of Texas law and protects the rights of property owners;

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

SECTION 1. REPEAL.

Ordinance No. 5035, entitled "Historic Preservation Overlay District," and all provisions codified as Section 1.47B of Article VIII of the City of Mission Zoning Ordinance are hereby repealed in their entirety, including all provisions creating the Historic Preservation Overlay District, Historic Preservation Commission, Historic Preservation Officer duties, design criteria, designation processes, maintenance standards, certificate of appropriateness procedures, and any amendments thereto, is hereby repealed in its entirety and shall be of no further force and effect.

SECTION 2. HISTORIC PRESERVATION ADVISORY COMMITTEE.

The City Council establishes a Historic Preservation Advisory Committee to review historic preservation matters and make recommendations to the City Council regarding the development of a Historic Preservation Ordinance consistent with applicable state law and the public interest.

The Historic Preservation Advisory Committee shall consist of five (5) members appointed by the City Council.

To the extent practicable, membership should include individuals with knowledge, experience, or interest in architecture, history, archaeology, planning, construction, real estate, law, education, business, or community development.

Members shall serve terms and operate under procedures established by resolution or ordinance adopted by the City Council.

The Committee shall remain in existence until completion of its assigned duties or until dissolved by action of the City Council.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

All ordinances, resolutions, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4. SAVINGS CLAUSE.

The repeal of Ordinance No. 5035 shall not affect any rights, obligations, liabilities, proceedings, enforcement actions, permits, approvals, or causes of action existing prior to the effective date of this Ordinance.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED on this 09th day of June, 2026.

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary