



MEETING DATE: January 7, 2026

PRESENTED BY: Xavier Cervantes, AICP, CPM, Director of Planning

AGENDA ITEM: Conduct a public hearing and consideration of the adoption of an ordinance amending the code of ordinances Appendix A - Zoning, Article VIII – Use Districts and Conditional Uses, Section 1.41. – C-1 (Office Building District), Subsection (2) Permitted Uses, and (3) Conditional Uses; Section 1.42. C-2 (Neighborhood Commercial District), Subsection (2) Permitted Uses, & (3) Conditional Uses; and Section 1.43. C-3 (General Business District), Subsection (2) Permitted Uses, and (3) Conditional Uses by making Drive-thru Service Window Business for Food Establishments a Permitted Use; and by removing Drive-thru Service Window Business for Food Establishments as a Conditional Use. Applicant: City of Mission - Cervantes

NATURE OF REQUEST:

Project Timeline:

- January 7, 2026 – Ordinance reviewed and approved by the Planning and Zoning Commission
- January 13, 2026 – Consideration of the adoption of the ordinance by the City Council.

Summary:

- This ordinance will streamline the process for the issuance of building permits for new restaurants and fast-food establishments by not requiring a conditional use permit for a drive-thru window.
- The proposed ordinance would allow the issuance of a building permit with the correct zoning and with a site plan approval from the Planning and Zoning Commission.

STAFF RECOMMENDATION:

Staff recommends the adoption of the ordinance.

RECORD OF VOTE:

APPROVED: _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES APPENDIX A – ZONING, ARTICLE VIII. USE DISTRICTS AND CONDITIONAL USES, SECTION 1.41. C-1 (OFFICE BUILDING DISTRICT), SUBSECTION (2) PERMITTED USES & (3) CONDITIONAL USES; SECTION 1.42. C-2 (NEIGHBORHOOD COMMERCIAL DISTRICT), SUBSECTION (2) PERMITTED USES, & (3) CONDITIONAL USES; AND SECTION 1.43. C-3 (GENERAL BUSINESS DISTRICT), SUBSECTION (2) PERMITTED USES & (3) CONDITIONAL USES BY MAKING DRIVE-THRU SERVICE WINDOW BUSINESS FOR FOOD ESTABLISHMENTS A PERMITTED USE; AND BY REMOVING DRIVE-THRU SERVICE WINDOW BUSINESS FOR FOOD ESTABLISHMENTS AS A CONDITIONAL USE, 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 or amend an ordinance that, among other things, is for good government peace or order of Mission; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed amendment and has recommended approval; 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, Appendix A – Zoning, Article VIII. – Use Districts and Conditional Uses, Section 1.41. C-1 (Office Building District); Section 1.42. C-2 (Neighborhood Commercial District); and Section 1.43. C-3 (General Business District) be hereby amended by adding the language underlined (**added**) and deleting the language that is (**stricken**) to read in full as follows. *The remaining sections are to remain in force.

Article VIII. Use Districts and Conditional Uses

Section 1.41. C-1 (Office Building District)

2. Permitted uses:

(1) Drive-thru service window business for food establishments.

3. Conditional uses (requires a use permit, see article X):

~~(f) Drive-thru service window business for food establishments.~~

Section 1.42. C-2 (Neighborhood Commercial District)

2. Permitted uses:

(l) Drive-thru service window business for food establishments.

3. Conditional uses (require use permits, see article X):

~~(e) Drive-thru service window business for food establishments.~~

Section 1.43. C-3 (General Business District)

2. Permitted uses:

(o) Drive-thru service window business for food establishments.

3. Conditional uses (require use permits, see article X):

~~(e) Drive-thru service window business for food establishments.~~

SECTION 2: REPEALER: All ordinances or parts of ordinances in conflict herewith 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 or 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 Elective Commission of the City of Mission, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF MISSION

Norie Gonzalez Garza, Mayor

ATTEST:

Anna Carrillo, City Secretary

APPROVED AS TO FORM:

City Attorney