

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS, AMENDING THE CODE OF ORDINANCES APPENDIX A, ARTICLE V, SECTION 1.20 – PROCEDURE, AND SECTION 1.21 – PUBLIC HEARINGS, AMENDING THE GOVERNING-BODY HEARING NOTICE, PUBLICATION REQUIREMENT, AND TO POST A NOTICE SIGN ON THE AFFECTED PROPERTY; PROVIDING FOR CONFORMITY WITH APPLICABLE STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Mission, Texas 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 the good government, peace, or order of the City of Mission; and

WHEREAS, Appendix A, Article V, Section 1.20 and Section 1.21 of the City of Mission Code of Ordinances presently establishes certain hearing notice and publications requirements concerning proposed zoning amendments; and

WHEREAS, Section 1.20(3) presently requires written notices of all public hearing on proposed changes in classifications to be sent out as few as ten (10) days before any such hearing is held and has no sign requirement.

WHEREAS, Section 1.21 presently allows the City Council hearing to be held as few as ten (10) days after a single newspaper publication and does not require website publication.

WHEREAS, the Texas Legislature amended Chapter 211 of the Texas Local Government Code through House Bill 24, effective September 1, 2025, amending the governing-body hearing-notice requirement in Section 211.006(a) notice published in the newspaper and, if applicable, on the City's website before the 15th day before the hearing, and added Section 211.0073, which requires the Zoning Commission of a home-rule city to post a sign on the affected property (or in the public right-of-way for a City-initiated change affecting multiple properties) no later than the 10th day before the Commission's hearing on a proposed change in zoning classification that does not apply to the whole City, and to keep it posted until the Council's final determination.

WHEREAS, the City Council desires to amend Section 1.20 and Section 1.21 to be in compliance with the amended Chapter 211 of the Texas Local Government Code through House Bill 24; and

WHEREAS, The Planning and Zoning Commission of the City of Mission held a public hearing on the proposed amendment to Section 1.20 and Section 1.21 on October 21, 2026, after notice as required by law, and has submitted its final report to the City Council recommending

approval of the proposed amendment, in accordance with Section 211.006 & Section 211.0073 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Mission has determined that the amendments contained herein are in the best interests 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. AMENDMENT OF APPENDIX A, ARTICLE V, SECTION 1.20 AND 1.21

Subsection (3) of Appendix A, Article V, Section 1.20 of the Code of Ordinances of the City of Mission, Texas entitled “Procedure” and Section 1.21 entitled “Public Hearings,” are hereby amended by adding the language underlined (added) and deleting the language that is (~~stricken~~) to read as follows: *The remaining sections are to remain in force.

Section 1.20 – Procedure.

Before taking action on any proposed amendment, supplement, or change:

1. The city council shall submit the proposed revision to the planning and zoning commission for its recommendations and reports.
2. The planning and zoning commission shall make a preliminary report and hold public hearings thereon before submitting its final report.
3. Written notices of all public hearings on proposed changes in classifications shall be sent to the address of record of all owners of property, or to the person rendering the property for city taxes, affected by such proposed changes in classification and to the address of records of all owners of property, or to the person rendering the property for city taxes, located within 200 feet of a property affected thereby within no less than ten days before any such hearing is held. Such notice may be served by depositing same, properly addressed and postage paid, in the city post office. Where property lying within 200 feet of the property proposed to be changed is located in territory which was annexed to the city after the final date of making the renditions which are included on the last approved city tax roll or to property lying in another city, notice to such owners shall be given by publication in the manner provided by section 1.21 following.
4. The city must place a notification sign (24 by 48 inches) at the affected property (or in the public right-of-way for a City-initiated change affecting multiple properties) not later than the 10th day before the Commission’s hearing on a proposed change in zoning classification that does not apply to the whole City, and to keep it posted until the Council’s final determination.

Section 1.21 – Public Hearings.

After receipt of the final report from the planning and zoning commission, a public hearing shall be held by the city council before adopting any proposed amendment, supplement, or change. Notice of such hearing shall be given by publication one time in a newspaper of general circulation

in the city stating the time and place of such hearing, and if applicable, on the City's website before the 15th day before the hearing.~~which time shall not be less than ten days nor more than 20 days from the date of publication.~~

SECTION 2. STATE LAW CONTROLS

Nothing in this Ordinance shall be construed to waive, diminish, or eliminate any rights of protest, notice requirements, voting requirements, or other requirement imposed upon the City by the Constitution or statutes of the State of Texas.

SECTION 3. CODIFICATION

The City Secretary is hereby authorized and directed to incorporate the amendments adopted by this Ordinance into Appendix A of the City of Mission Code of Ordinances and to make such nonsubstantive formatting, numbering, and grammatical changes as may be necessary to codify this ordinance.

SECTION 4. SEVERABILITY

If any section, subsection, paragraph, sentence, phrase, or provision of this Ordinance is determined to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Ordinance, which shall remain in full force and effect.

SECTION 5. REPEAL OF CONFLICTING PROVISIONS

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

SECTION 6. SAVINGS CLAUSE

This Ordinance does not affect the validity of any final action taken by the City Council before the effective date of this Ordinance. A proposal to change a zoning regulation or zoning district boundary that was made before September 1, 2025, shall be governed by the law in effect on the date of the proposal was made, including Section 1.20 and Section 1.21 as it existed before the effective date of this Ordinance, and the former law is continued in effect for that purpose, consistent with the applicability provision of House Bill 24, Acts of the 89th Legislature, Regular Session (2025). Except as provided in this Section, the amendments adopted by this Ordinance shall apply to any vote of the City Council on a proposed change to a zoning regulation or zoning district boundary that occurs on or after the effective date of this Ordinance, regardless of the date on which the proposal, application, or protest was made or file.

SECTION 7. PUBLICATION

The City Secretary is directed to cause this Ordinance, or its caption and penalty clause where applicable, to be published in accordance with the requirements of the City Charter and applicable law.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its adoption 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