

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES APPENDIX A, ZONING, ARTICLE VIII.-USE DISTRICTS AND CONDITIONAL USES, SECTION 1.37, R-1A LARGE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.371, R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.372, R-1T TOWNHOUSE RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.39, R-3 MULTIFAMILY RESIDENTIAL DISTRICT, SUBSECTION 5, AREA REQUIREMENTS; SECTION 1.40, R-4 MOBILE HOME DISTRICT; SUBSECTION 2, PERMITTED USES, SUBSECTION 3, CONDITIONAL USES, SUBSECTION 4, PROHIBITED USES, SUBSECTION 5, AREA REQUIREMENTS, AND SUBSECTION 6, REQUIRED CONDITIONS; PROVIDING REPEALER; PROVIDING SEVERABILITY CLAUSE; PROVIDING EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS TO THE FOREGOING

WHEREAS, The City of Mission is a home-rule municipality possessing the full power of local self-government 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 for good government peace, or order of Mission; and

WHEREAS, the amendments will provide for more opportunities for affordable housing in the community; 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 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: That the City of Mission code of Ordinances, Appendix A, Zoning, is hereby amended by adding the language underlined (added) and deleting the language that is stricken (~~stricken~~) to read in full as follows.

SECTION 1.37, R-1A LARGE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT

5. *Area requirements:*

a. Minimum lot area:

(1) Internal lot: ~~8,500~~ 7,800 square feet.

(2) Corner lot: ~~9,000~~ 8,400 square feet.

b. Maximum number of single-family dwellings per lot: one.

c. Minimum lot frontage on a public street:

(1) Internal lot: ~~75~~ 65 feet.

(2) Corner lot: ~~80~~ 70 feet.

d. Minimum lot depth: 120 feet.

e. Minimum depth of front setback: ~~25~~ 20 feet.

- f. Minimum depth of rear setback: ~~ten~~ 10 feet.
- g. Minimum width of side setback:
 - (1) Internal lot: ~~six~~ 6 feet.
 - (2) Corner lot: ~~ten~~ 10 feet.
- h. Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the zoning board of adjustments: 18 feet.
- i. Maximum building coverage as a percentage of lot area: N/A.
- j. Maximum height of structures: 35 feet.*
*Where a structure exceeds the 25 feet in height, it shall be set back one additional foot for each foot above 25 feet, not to exceed the 35-foot maximum.
- k. Minimum number of off-street parking spaces required for:
 - (1) One single-family dwelling unit: two.
 - (2) All other uses: see off-street parking ordinance.
- l. See article XIII, section 1.59, for further clarification, and exceptions and modifications.

SECTION 1.371, R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

- 5. *Area requirements:*
 - a. Minimum lot area:
 - (1) Internal lot: ~~6,000~~ 5,000 square feet.
 - (2) Corner lot: ~~7,000~~ 5,500 square feet.
 - b. Maximum number of single-family dwellings per lot: one.
 - c. Minimum lot frontage on a public street:
 - (1) Internal lot: ~~60~~ 50 feet.
 - (2) Corner lot: ~~65~~ 55 feet.
 - d. Minimum lot depth: 100 feet.
 - e. Minimum depth of front setback: 20 feet.
 - f. Minimum depth of rear setback: ~~ten~~ 10 feet.
 - g. Minimum width of side setback:
 - (1) Internal lot: ~~six~~ 6 feet.
 - (2) Corner lot: ~~ten~~ 10 feet.
 - h. Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the zoning board of adjustments: 18 feet.

- i. Maximum building coverage as a percentage of lot area: N/A.
- j. Maximum height of structures: 35 feet.*
 *Where a structure exceeds the 25 feet in height, it shall be set back one additional foot for each foot above 25 feet, not to exceed the 35-foot maximum.
- k. Minimum number of off-street parking spaces required for:
 - (1) One single-family dwelling unit: two.
 - (2) All other uses: see off-street parking ordinance.
- l. See article XIII, section 1.59, for further clarification, and exceptions and modifications. See contingency protocol policy in the exceptions and modifications provision for possible situational setback adjustment(s).

SECTION 1.372, R-1T TOWNHOUSE RESIDENTIAL DISTRICT

- 5. *Area requirements:*
 - a. Minimum lot area:
 - (1) Internal lot: 2,000 square feet.
 - (2) Corner lot: ~~3,000~~ 2,400 square feet.
 - b. Maximum number of single-family dwelling units per lot: Townhouse: one townhouse condominium; 12 units/net acre of lot.
 - c. Minimum lot frontage on a public street:
 - (1) Internal lot: ~~20~~ 25 feet.
 - (2) Corner lot: 30 feet.
 - d. Minimum lot depth: ~~60~~ 80 feet.
 - e. Minimum depth of front setback: ~~40~~ 20 feet.
 - f. Minimum depth of rear setback: ~~zero~~ 10 feet.
 In no instance shall a structure or any part thereof, including eaves, encroach upon an adjacent lot or cross a platted lot line.
 - g. Minimum width of side setback:
 - (1) Internal lot: ~~six~~ 6 feet.
 - (2) Corner lot: ~~ten~~ 10 feet.
 Townhouses separated by firewalls meeting the requirements of the building code may build to the property line where such structures abut. In no instance shall a structure or any part thereof, including eaves, encroach upon an adjacent lot or cross a platted line.
 - h. Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the zoning board of adjustments: 18 feet.

- i. Maximum building coverage as a percentage of lot area: N/A.
- j. Maximum height of structures: 35 feet.*
 *Where a structure exceeds the 25 feet in height, it shall be set back one additional foot for each foot above 25 feet, not to exceed the 35-foot maximum.
- k. Minimum number of off-street parking spaces required for:
 - (1) One single-family dwelling unit: two.
 - (2) All other uses: see off-street parking ordinance.
- l. See article XIII, section 1.59, for further clarification, and exceptions and modifications.

SECTION 1.39, R-3 MULTIFAMILY RESIDENTIAL DISTRICT

- 5. *Area requirements:*
 - h. Minimum depth of front setback: ~~30~~ 20 feet.
 - i. Minimum depth of rear setback*: ~~15~~ 10 feet.
 *Unenclosed carports may be built up to within five feet of any property line that abuts an alley in an R-3 district.
 - j. Minimum width of side setback:
 - (1) Internal lot: ~~six~~ 6 feet.
 - (2) Corner lot: ~~15~~ 10 feet.
 - k. Minimum distance from the public right-of-way to the entrance to a garage or enclosed carport, unless otherwise approved by the zoning board of adjustments: 18 feet.
 - l. Maximum building coverage as a percentage of lot area: 50 percent.
 - m. Minimum amount of permanent, landscaped open space: ten percent.
 - n. Maximum height of structure: 25 feet.*
 *Where a structure exceeds 25-foot height maximum, it shall be set back one additional foot for every two feet above 25 feet.
 - o. Minimum number of paved, striped off-street parking spaces required for:
 - (1) Two off-street parking spaces shall be required for each apartment.
 - p. See article XIII, section 1.59 for modifications and exceptions.

SECTION 1.40, R-4 MOBILE HOME DISTRICT

2. *Permitted uses:*

- a. ~~One mobile home per lot, approved for mobile homes only. One recreational vehicle or park model per space or lot may be permitted, provided that the space or lot complies with the minimum area dimensions required for mobile home use. The RV building setbacks shall be identical to those of the mobile home use. Mobile home parks where land is subdivided into smaller spaces for renting to owners of mobile or manufactured homes or recreational vehicles including recreational and office facilities associated with such parks and meeting the requirements of the mobile home park ordinance.~~
- b. ~~One modular home per lot, approved for modular homes only, or one modular home per lot approved for mobile home/modular home.~~
- c. ~~Accessory buildings.~~
- d. ~~Recreational and commercial facilities designed for exclusive use of the subdivision's occupants.~~
- e. ~~An accessory use customarily related to a principle use authorized in this district.~~
- f. ~~An accessory use customarily related to a principle use authorized in this district.~~
- g. ~~One portable building per lot to be not more than 140 square feet used for either storage, hobby or other similar accessory uses.~~
- h. ~~A recreational vehicle may be parked or stored off street on any lot or space, provided that the vehicle is not occupied or connected to utilities for occupancy, and such that said parked/stored vehicle does not have to abide by building setbacks.~~
- i. ~~Churches and related amenities~~
- j. ~~Temporary sales office for the sale of lots.~~
- k. ~~See chapter 86, signs.~~

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

- a. ~~Home occupations~~
- b. ~~Amusement parks, circus or carnival grounds, commercial amusement or recreation developments, or tents or other temporary structures used for temporary purposes.~~
- c. ~~Facilities for railroads or those utilities holding a franchise under the City of Mission.~~
- d. ~~Reserved.~~
- e. ~~Portable buildings larger than 140 square feet. No second "portable building" shall be permitted without obtaining a conditional use permit.~~
- f.a. One single-family dwelling per lot. Structures must meet the requirements of the R-1 district.

4. *Prohibited uses:*

- a. ~~Any building erected or land used for other than one or more of the preceding specified uses. A mobile home subdivision where the lots are intended to be individually owned with access to a public or private street.~~
- b. ~~No more than one mobile home or modular home shall occupy any approved lot, except as noted in 2.f.~~
- c. ~~Off premises signs.~~
- d. ~~Any use of property that does not meet the required minimum lot size; front, side and rear yard dimensions; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.~~

5. *Area requirements:*

- a. Minimum size of tract for development: Unless otherwise approved by the city council, based upon a recommendation by the planning and zoning commission, the minimum size of a tract for development into a mobile home ~~subdivision~~ park shall be five acres.
- b. ~~Minimum lot area for lots in subdivision for mobile homes or modular homes:~~
 - (1) ~~Internal: 5,000 square feet~~
 - (2) ~~Corner: 6,000 square feet.~~
- c. ~~Minimum lot frontage on a public or private street for lots in a subdivision for mobile home or modular homes:~~
 - (1) ~~Internal: 50 feet~~
 - (2) ~~Corner: 60 feet~~
- d. Minimum lot depth: 100 feet
- e. ~~Minimum depth of front setback: 15 feet~~
- f. ~~Minimum depth of rear setback: five feet~~
- g. ~~Minimum width of side setback:~~
 - (1) ~~Internal: six feet~~
 - (2) ~~Corner: ten feet~~
- h. ~~Maximum number of residential structures per approved lot or space: one~~
- i. ~~Minimum distance from the public right of way to the entrance to a garage or enclosed carport, unless otherwise approved by the zoning board of adjustments: 18 feet.~~
- j. ~~Maximum building coverage as a percentage of lot area:~~
- k. ~~Maximum height of structures: 25 feet.~~
- l. ~~Minimum number of off-street parking spaces required for:~~
 - (1) ~~Each mobile home or recreational vehicle: two~~
 - (2) ~~All other uses: see off-street parking ordinance.~~
- m. ~~See article XIII, section 1.59 for further clarification, and exceptions and modifications. See contingency protocol policy in the exceptions and modifications provision for possible situational setback adjustment(s).~~
- n. ~~The maximum square footage of site built additions to recreational vehicles shall not exceed 600 square feet.~~

6. *Required conditions:*

- a. ~~A development designed as a mobile home subdivision or modular home subdivision shall meet all requirements for the City of Mission Subdivision Ordinance. Such subdivision shall have as its major purpose the sale and conveyance of property rights and ownership of individual lots to consumers.~~

- ~~b a.~~ At no time may an existing mobile home park or recreational vehicle park be converted to a mobile home subdivision. ~~without first meeting all the requirements of the City of Mission Subdivision Ordinance and receiving approval by the city council of Mission, Texas.~~
- ~~d.~~ ~~Section 1.56.2 of this chapter shall not apply to mobile homes in this district.~~

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 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 _____, 2025, at a regular meeting of the 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:

Patricia A. Rigney, City Attorney