

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF MISSION CODE OF ORDINANCES CHAPTER 98-SUBDIVISIONS, ARTICLE III – MINIMUM REQUIREMENT FOR STANDARDS AND SPECIFICATIONS, SECTION 98-144. PARK DEDICATION OF FEES IN LIEU OF REQUIREMENTS, SUBSECTION (D) MONEY IN LIEU OF LAND, AMENDING THE PARK FEES REQUIRED PER DWELLING UNIT DURING THE SUBDIVISION PROCESS; 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 for good government peace or order of Mission; and

**WHEREAS**, the required park fees charged during the processing of new residential subdivisions need to be reconsidered from time to time; and

**WHEREAS**, this ordinance amendment was reviewed and recommended by the Parks and Recreation Advisory Board and the City of Mission Ordinance Review Committee; 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, Chapter 98-Subdivisions, Article III – Minimum Requirement for Standards and Specifications, Section 98-144 - Park Dedication of Fees in Lieu of Requirements, Subsection(d)(3) is hereby amended by adding the language underlined (added) and deleting the language that is stricken to read in full as follows:

(d)(3) To the extent that other sections of this section require, the dedication requirement shall be met by a payment in lieu of land at a per-dwelling-unit price set from time to time by ordinance of the city council, sufficient to acquire and develop land and to provide adjacent streets and utilities for a neighborhood park to serve the park zone in which such development is located. Unless changed by the city council, a payment in lieu of land in the amount of \$650.00 per dwelling unit shall be required prior to plat recording. The fee shall increase in the amount of \$25.00 per dwelling unit after each annual anniversary of the adoption of this ordinance amendment, maximum fee to be capped at \$750.00 per dwelling unit. Cash payments may be only used for the acquisition, development, or improvement of a neighborhood park, bicycle trails within the park zone, and/or streets and utilities adjacent to the neighborhood park located within the same park zone as the

development, unless otherwise authorized by the city council for funding regional recreational parks that serves the needs of all or several park zones.

**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 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**

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Norie Gonzalez Garza, Mayor

ATTEST:

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Anna Carrillo, City Secretary

APPROVED AS TO FORM:

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Patricia A. Rigney, City Attorney