



MEETING DATE: April 28, 2025

PRESENTED BY: Xavier Cervantes, Director of Planning

AGENDA ITEM: To consider an ordinance amendment to 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 Multi-Family 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, Adoption of Ordinance#_____ – Cervantes

NATURE OF REQUEST:

Project Timeline:

- March 19, 2025 – A directive was given by Mayor Garza to staff to revisit the residential lot size regulations.
- April 2, 2025 – Discussion and possible direction on residential lot size regulations by the Planning and Zoning Commission (P&Z).
- April 4, 2025 – In accordance with State and local law, notice of required public hearings published in the Progress Times.
- April 16, 2025 – Public Hearing and consideration of amendment to the residential lot size regulations by the Planning and Zoning Commission (P&Z).
- April 28, 2025 – Public Hearing and consideration of amendment to the residential lot size regulations by the City Council.

Summary:

- Over the years several concerns have been voiced to staff in regards to the residential regulations requirements from developers. Most of the concerns are regarding the width, length and square footage requirements being difficult to comply with especially in the R-1 and R-1A zones.
- Mayor Garza is interested in these amendments in the spirit of providing more opportunities for affordable housing in the community.
- In light of those concerns, staff was given a directive by the City Council to revisit the residential regulations and reduce the requirements especially in the R-1 and R-1A zones.
- Staff did a comparison with the City of McAllen and learned that the City of McAllen has less strict requirements in their R-1 zoning. With their new adopted code McAllen only

requires 45 feet of lot frontage and 5,000 square feet. McAllen does not have large lot residential zones.

- Mission, Edinburg and Brownsville are the only cities in the Rio Grande Valley that have large lot single-family zoning categories.
- Staff is recommending that modifications be made to the R-1 (Single Family Residential District), R-1A (Large Lot Single Family District), R-1T (Townhouse Residential District), R-3 (Multi-family Residential District), and the R-4 (Mobile & Modular Residential District).
- In the R-4 zoning the proposed changes would prohibit mobile home subdivisions and would only allow mobile home parks where the spaces are rented and not sold.
- The Texas legislature is considering SB15 that would prohibit cities from regulating lot sizes in the spirit of providing affordable housing opportunities to Texans.

Departmental Approval: N/A

Advisory Board Recommendation: Approval

City Manager's Recommendation: Approval *MRP*

RECORD OF VOTE: **APPROVED:** _____

DISAPPROVED: _____

TABLED: _____

_____ AYES

_____ NAYS

_____ DISSENTING _____

RESIDENTIAL REGULATIONS PROPOSAL

MISSION RESIDENTIAL REGULATIONS

	R-1	R-1A	R-1T	R-2	R-3	R-4
Lot frontage	60 <u>50</u> ft. Internal 65 <u>55</u> ft. Corner	75 <u>65</u> ft. Internal 80 <u>70</u> ft. Corner	20 <u>25</u> ft. Internal 30 ft. Corner	50 ft. Internal 60 ft. Corner	70 ft. Internal 80 ft. Corner	50 ft. Internal 60 ft. Corner
Lot depth	100 ft.	120 ft.	60 <u>80</u> ft.	100 ft.	100 ft.	100 ft.
Lot area	6,000 <u>5,000</u> sq. ft. Internal 7,000 <u>5,500</u> sq. ft. Corner	8,500 <u>7,800</u> sq. ft. Internal 9,000 <u>8,400</u> sq. ft. Corner	2,000 sq. ft. Internal 3,000 <u>2,400</u> sq. ft. Corner	6,000 sq. ft. for single family and duplex; 6,700 sq. ft. for a triplex; 7,800 sq. ft. for a fourplex Corner lots 6,700 sq. ft. for single family and duplex; 7,500 sq. ft. for triplex; 8,200 for fourplex	7,000 sq. ft. Internal 8,000 sq. ft. Corner	5,000 sq. ft. Internal 6,000 sq. ft. Corner
Front setback	20 ft.	25 <u>20</u> ft.	40 <u>20</u> ft.	20 ft.	30 <u>20</u> ft.	15 ft.
Side setback	6 ft. 10 ft. Corner	6 ft. 10 ft. Corner	6 ft. except 0 ft. with fire wall 10 ft. Corner	6 ft. 10 ft. Corner	6 ft. Internal 45 <u>10</u> ft. Corner	6 ft. Internal 10 ft. Corner
Rear setback	10 ft.	10 ft.	0 <u>10</u> ft.	10 ft.	45 <u>10</u> ft.	5 <u>10</u> ft.

R-1 Single-family Residential District

R-1A Large Lot Single-family Residential District

R-1T Townhouse Residential District

R-2 Duplex-fourplex Residential District

R-3 Multi-family Residential District

R-4 Mobile & Modular Home Residential District

3/28/25, 2:16 PM

Texas Senate OKs bill to allow smaller homes on smaller lots | The Texas Tribune

Texas Senate advances bill to allow smaller homes on smaller lots

Lawmakers, who are preempting locals on lot sizes in new subdivisions, have been eyeing ways to allow more homes to be built as the state faces a shortage.

BY [JOSHUA FECHTER](#) AND [ZACH DESPART](#) MARCH 19, 2025 8 PM CENTRAL

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Sign up for The Brief, The Texas Tribune's daily newsletter that keeps readers up to speed on the most essential Texas news.

The Texas Senate on Wednesday advanced the chamber's signature bill aimed at reining in the state's high housing costs: allowing smaller homes on smaller lots.

Senate Bill 15 — a top priority for Lt. Gov. [Dan Patrick](#), who leads the Senate — would reduce the amount of land cities require single-family homes in new subdivisions to sit on. The idea is to reduce the final cost of new homes by allowing homebuilders to construct smaller homes on smaller lots. The bill cleared the Senate by a 28-3 vote.

"The crisis can be summarized in one stat: the average age of a homebuyer in Texas is 54," said state Sen. [Paul Bettencourt](#), a Houston Republican who authored the bill. "That's a classification ... that's not going to be able to be sustained to help first-time homebuyers."

The bill is part of a slate of proposals aimed at addressing the state's high home prices and rents by allowing more homes to be built. Texas needs about 320,000 more homes than it has, according to one estimate. That shortage helped drive up home prices and rents, housing advocates and experts argue, because the state hasn't built enough homes to meet demand amid the state's economic boom.

State lawmakers are eyeing ways to relax local rules that say what kinds of homes can be built and where — which critics say get in the way of allowing more homes to be built. Legislators are considering proposals intended to make it easier to build accessory dwelling units — otherwise known as ADUs, casitas or mother-in-law suites — in the backyards of single-family homes. Other proposals would allow developers to put homes in places that now only allow offices, shopping malls, warehouses and houses of worship.

3/28/25, 2:16 PM

Texas Senate OKs bill to allow smaller homes on smaller lots | The Texas Tribune

SB 15 would prevent cities from requiring homes in new subdivisions to sit on more than 1,400 square feet. The most common lot-size requirements in major cities sit between 5,000 and 7,500 square feet, a Texas Tribune analysis found. The idea behind reducing those requirements would be to give homebuilders the flexibility to build smaller homes and thus reduce the overall cost of the home. The bill would only apply in new subdivisions, not in existing neighborhoods, that sit on at least five acres of land.

For some city officials as well as neighborhood activists who oppose new housing, the idea of state lawmakers weighing in on what kinds of homes cities allow and where is an undue incursion on local authority. Other states like California, Oregon, Montana and Florida have passed laws aimed at curtailing local rules in order to add more homes and reduce housing costs. Few parts of Texas have gone untouched by higher housing costs in recent years, proponents note — providing ample pretext for state lawmakers to intervene.

In Texas, the GOP-led Legislature has pushed for more than a decade to sap authority to make laws from local officials in the state's urban areas, often Democrats. Democratic House lawmakers led the charge in 2023 to kill legislation that would've addressed some local zoning rules when it comes to housing.

Sen. [Juan "Chuy" Hinojosa](#), D-McAllen, expressed concern that Bettencourt's bill would take zoning powers away from cities that have an interest in regulating land uses like military facilities and industrial parks. But Bettencourt said the legislation relates solely to density, leaving local leaders free to reserve land for residential and commercial use.

Georgetown Republican Sen. [Charles Schwertner](#) said he worried that the density rules would unfairly limit city officials' ability to shape growth.

"I still feel this might be a step too far, although I am willing to vote for it today," he said.

Some Democrats in the Legislature have shown openness to relaxing city zoning rules at the state level. Two Democratic senators, Roland Gutierrez and Royce West, signed on to Senate Bill 15 as co-authors. (The bill also has nine Republican co-authors.)

The bill now moves to the Texas House of Representatives, where similar legislation died last session. Lawmakers in that chamber, too, have shown an appetite for changes to allow more homes to be built. Making it easier for builders to obtain permits and more difficult for neighboring property owners to oppose new housing are among House Speaker Dustin Burrows' top priorities.

TEXAS LEGISLATURE ARTICLE

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STAFF RECOMMENDATION

- Staff recommends amending the R-1A (Large Lot Single Family District), R-1 (Single Family Residential), R-1T (Townhouse Residential District), R-3 (Multi-Family Residential District), and the R-4 (Mobile & Modular Residential District) as shown on the Residential Regulations Proposal and Ordinance.

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. ~~Reseved.~~
- 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