

ORDINANCE NO. 4580

**AN ORDINANCE OF THE CITY OF MISSION, TEXAS AMENDING
CHAPTER 98 – SUBDIVISIONS, SECTION 98-144 OF THE MISSION
CODE OF ORDINANCES TO ALLOW THE USAGE OF PARK ZONE
FUNDS WITH CITY COUNCIL APPROVAL FOR REGIONAL
RECREATIONAL SITES; AND PROVIDING FOR A PUBLICATION
DATE**

WHEREAS, The Mission City Council on May 1, 1986 adopted park Dedication Ordinance No. 1340 in order to complement the City's efforts to provide for park improvements for area residents; and.

WHEREAS, said Ordinance was amended on June 23, 2008, by Ordinance 3367 by allowing the usage of park zone funds with City Council approval for Regional Recreational Sites; and

WHEREAS, The Mission Code of Ordinances was not amended pursuant to Ordinance No. 3367 and the current section 98-144 provides for park fees for neighborhood parks but makes no equitable allocation to meet the recreational needs if in a regional recreational site of the City of Mission, Texas.; and,

WHEREAS, Ordinance 3367 defined a regional park as a City park with 50 or more acres, however, after review by the Parks and Recreation Board and Planning and Zoning Commission, it was determined that because of the character and use of other City parks, the acreage requirement for regional parks should be reduced to 15 or more acres; and

WHEREAS, reducing the acreage requirement for regional parks would enhance certain parks that have demonstrated use as regional parks by the surrounding communities; and

WHEREAS, Section 98-144 has been reviewed by the Parks and Recreation Board and the Planning and Zoning Commission, said board and commission being specified as being advisory to the City Council on matters pertaining to Park Dedication Ordinance No. 1340; and,

WHEREAS, the Parks and Recreation Board and The Planning and Zoning Commission have convened in duly called public hearings and determined after careful analysis that there should be an amendment to include provisions for the City Council to allocate park funds from the various Park Zones for demonstrated regional recreational site, as defined herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MISSION, TEXAS:

SECTION 1: All of the above premises are hereby found to be true and correct findings of the Mission City Council and they are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

SECTION 2: Chapter 98 - Subdivisions, Section 98-144 – Park dedication of fees in lieu of requirements, of the Code of Ordinances, City of Mission, Texas is hereby amended as follows:

1. The third sentence under Section (a)(1) shall be amended as follows:

“It is hereby declared by the City Council that recreational areas in the form of neighborhood parks and regional recreational parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the

City, whether such development consists of new construction on vacant land or rebuilding and remodeling of structures on existing property for increased residential use.”

2. The following 2 sentences shall be added prior to the last sentence under Section (a)2:

“In the case of regional parks, these serve the same recreational intent (for all or several Park Zones) but on a broader, city-wide scale, for which funds from all Park Zones may contribute to their development and construction. A regional park is defined as a City park that encompasses 15 or more acres of park land and is comprised of six or more different types of recreational amenities, i.e. baseball fields, basketball courts, tennis courts, soccer fields, playground, nature area, etc.”

3. The last sentence in Section (d)(3) shall be amended as follows:

“Cash payments may be only used for the acquisition, development, or improvement of a neighborhood park, bicycle trails within that 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.

4. The following shall be included within the 2nd sentence of Section (e)(2):

“Any funds paid for such purposes must be expended by the City within five (5) years from the date received by the City for the acquisition, development or improvement of a neighborhood park, bicycle trails within that Park Zone, or adjacent streets and utilities necessary for park, or for funding regional recreational parks.”


SECTION 3: These Amendments shall be codified in the City of Mission’s Code of Ordinances as soon as practically possible.

SECTION 4: If any provision of this ordinance is for some reason held to be unconstitutional, void, invalid or unenforceable, the validity of the remaining portions shall not be affected.


SECTION 5: It is hereby found and determined that the meeting at which this ordinance was passed, was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6: The ordinance shall become effective upon passage. The City Secretary shall publish the caption of this Ordinance in a newspaper of general circulation of the City of Mission according to law.

READ, CONSIDERED AND APPROVED on this the 27th day of November, In the Year of Our Lord, 2017.


Norberto Salinas, Mayor
Mission, Texas

ATTEST:


Anna Carrillo, City Secretary
City of Mission, Texas

