

Chapter 144 – Zoning

ARTICLE II. – ZONING PROCEDURES AND ADMINISTRATION

Sec. 144-2.1. – Changes and zoning amendments.

2.1-2. *Procedure before the planning commission.*

- (a) *Public hearing and notification.* Public hearing, notification and signage shall be processed in accordance with the provisions of Texas Local Government Code Chapter 211. ~~The planning commission shall hold a public hearing on all proposed zoning changes and text amendments. Written notices of all such public hearings shall be sent by the planning and community development department to all owners of real property within 200 feet of the property on which the change is proposed. Such notices shall be sent not less than ten days before the day set for hearing to all such owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same properly addressed and first class postage paid in the city post office. If the property lying within 200 feet of the property proposed for a zoning change is located in territory which was annexed to the city and is not included on the most recently approved city tax roll, notice to such owners shall be given by publication once in a newspaper of general circulation in the city at least 15 days prior to the hearing. Notice shall state the time and place of such hearing. In addition to the written and published notification, a zoning pending change sign shall be placed adjacent to each public street or right of way abutting the subject property or if the property does not front a public street or right of way, adjacent to the closest public street or right of way, located in the middle of the frontage, and within three feet of the curb or pavement, or as prescribed by the planning and community development department at the time of application. One sign shall be required for the first 100 feet of frontage of the tract, and, thereafter, one additional sign for every 200 feet of frontage, or fraction thereof, except that not more than three signs shall be required on each roadway frontage. If the tract has less than 200 feet of frontage per roadway, then only one sign is required per road. All signs shall be clearly visible to the public from the adjacent public streets. The applicant shall post the sign(s) at least 15 days prior to the planning commission's meeting and maintain said sign(s) in good condition and in place until final action by city council. If the sign(s) is not posted 15 days prior to the planning commission hearing, the applicant's case shall be withdrawn and rescheduled. In the event that a sign(s) is removed from the property or damaged, the applicant shall be responsible for purchasing a replacement sign(s) and installing it immediately. The sign(s) shall be furnished by the city and a fee~~

shall be charged the applicant per appendix D of this Code.

2.1-3. *Procedure before City Council.*

- (b). *Protests.* Protests shall be processed in accordance with the provisions of Texas Local Government Code Chapter 211. ~~In accordance with the provisions of W.T.S.A.C., Local Government Code § 211.006 (commonly referred to as the "20 percent rule" if a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body (city council). The protest must be written and signed by the owners of at least 20 percent of either: the area of the lots or land covered by the proposed change; or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.~~